

Union Calendar No. 271

109TH CONGRESS
2^D SESSION**H. R. 5522****[Report No. 109–486]**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2006

Mr. KOLBE, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2007, and for other pur-
6 poses, namely:

1 TITLE I—EXPORT AND INVESTMENT
2 ASSISTANCE
3 EXPORT-IMPORT BANK OF THE UNITED
4 STATES
5 INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, as amended, \$988,000, to remain
9 available until September 30, 2008.

10 PROGRAM ACCOUNT

11 The Export-Import Bank of the United States is au-
12 thorized to make such expenditures within the limits of
13 funds and borrowing authority available to such corpora-
14 tion, and in accordance with law, and to make such con-
15 tracts and commitments without regard to fiscal year limi-
16 tations, as provided by section 104 of the Government
17 Corporation Control Act, as may be necessary in carrying
18 out the program for the current fiscal year for such cor-
19 poration: *Provided*, That none of the funds available dur-
20 ing the current fiscal year may be used to make expendi-
21 tures, contracts, or commitments for the export of nuclear
22 equipment, fuel, or technology to any country, other than
23 a nuclear-weapon state as defined in Article IX of the
24 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
25 ble to receive economic or military assistance under this

1 Act, that has detonated a nuclear explosive after the date
2 of the enactment of this Act: *Provided further*, That not-
3 withstanding section 1(c) of Public Law 103–428, as
4 amended, sections 1(a) and (b) of Public Law 103–428
5 shall remain in effect through October 1, 2007.

6 SUBSIDY APPROPRIATION

7 For the cost of direct loans, loan guarantees, insur-
8 ance, and tied-aid grants as authorized by section 10 of
9 the Export-Import Bank Act of 1945, as amended,
10 \$26,382,000, to remain available until September 30,
11 2010: *Provided*, That such costs, including the cost of
12 modifying such loans, shall be as defined in section 502
13 of the Congressional Budget Act of 1974: *Provided fur-*
14 *ther*, That such sums shall remain available until Sep-
15 tember 30, 2025, for the disbursement of direct loans,
16 loan guarantees, insurance and tied-aid grants obligated
17 in fiscal years 2007, 2008, 2009, and 2010: *Provided fur-*
18 *ther*, That none of the funds appropriated by this Act or
19 any prior Act appropriating funds for foreign operations,
20 export financing, and related programs for tied-aid credits
21 or grants may be used for any other purpose except
22 through the regular notification procedures of the Com-
23 mittees on Appropriations: *Provided further*, That funds
24 appropriated by this paragraph are made available not-
25 withstanding section 2(b)(2) of the Export-Import Bank

1 Act of 1945, in connection with the purchase or lease of
2 any product by any Eastern European country, any Baltic
3 State or any agency or national thereof.

4 ADMINISTRATIVE EXPENSES

5 For administrative expenses to carry out the direct
6 and guaranteed loan and insurance programs, including
7 hire of passenger motor vehicles and services as authorized
8 by 5 U.S.C. 3109, and not to exceed \$30,000 for official
9 reception and representation expenses for members of the
10 Board of Directors, \$75,234,000: *Provided*, That the Ex-
11 port-Import Bank may accept, and use, payment or serv-
12 ices provided by transaction participants for legal, finan-
13 cial, or technical services in connection with any trans-
14 action for which an application for a loan, guarantee or
15 insurance commitment has been made: *Provided further*,
16 That, notwithstanding subsection (b) of section 117 of the
17 Export Enhancement Act of 1992, subsection (a) thereof
18 shall remain in effect until October 1, 2007.

19 OVERSEAS PRIVATE INVESTMENT

20 CORPORATION

21 NON-CREDIT ACCOUNT

22 The Overseas Private Investment Corporation is au-
23 thorized to make, without regard to fiscal year limitations,
24 as provided by 31 U.S.C. 9104, such expenditures and
25 commitments within the limits of funds available to it and

1 in accordance with law as may be necessary: *Provided*,
2 That the amount available for administrative expenses to
3 carry out the credit and insurance programs (including an
4 amount for official reception and representation expenses
5 which shall not exceed \$35,000) shall not exceed
6 \$45,453,000: *Provided further*, That project-specific trans-
7 action costs, including direct and indirect costs incurred
8 in claims settlements, and other direct costs associated
9 with services provided to specific investors or potential in-
10 vestors pursuant to section 234 of the Foreign Assistance
11 Act of 1961, shall not be considered administrative ex-
12 penses for the purposes of this heading.

13 PROGRAM ACCOUNT

14 For the cost of direct and guaranteed loans,
15 \$20,035,000, as authorized by section 234 of the Foreign
16 Assistance Act of 1961, to be derived by transfer from
17 the Overseas Private Investment Corporation Non-Credit
18 Account: *Provided*, That such costs, including the cost of
19 modifying such loans, shall be as defined in section 502
20 of the Congressional Budget Act of 1974: *Provided fur-*
21 *ther*, That such sums shall be available for direct loan obli-
22 gations and loan guaranty commitments incurred or made
23 during fiscal years 2007, 2008, and 2009: *Provided fur-*
24 *ther*, That funds so obligated in fiscal year 2007 remain
25 available for disbursement through 2014; funds obligated

1 in fiscal year 2008 remain available for disbursement
2 through 2015; funds obligated in fiscal year 2009 remain
3 available for disbursement through 2016: *Provided further*,
4 That notwithstanding any other provision of law, the
5 Overseas Private Investment Corporation is authorized to
6 undertake any program authorized by title IV of the For-
7 eign Assistance Act of 1961 in Iraq: *Provided further*,
8 That funds made available pursuant to the authority of
9 the previous proviso shall be subject to the regular notifi-
10 cation procedures of the Committees on Appropriations.

11 In addition, such sums as may be necessary for ad-
12 ministrative expenses to carry out the credit program may
13 be derived from amounts available for administrative ex-
14 penses to carry out the credit and insurance programs in
15 the Overseas Private Investment Corporation Non-Credit
16 Account and merged with said account.

17 TRADE AND DEVELOPMENT AGENCY

18 For necessary expenses to carry out the provisions
19 of section 661 of the Foreign Assistance Act of 1961,
20 \$50,300,000, to remain available until September 30,
21 2008.

22 TITLE II—BILATERAL ECONOMIC ASSISTANCE

23 FUNDS APPROPRIATED TO THE PRESIDENT

24 For expenses necessary to enable the President to
25 carry out the provisions of the Foreign Assistance Act of

1 1961, and for other purposes, to remain available until
2 September 30, 2007, unless otherwise specified herein, as
3 follows:

4 UNITED STATES AGENCY FOR INTERNATIONAL
5 DEVELOPMENT

6 CHILD SURVIVAL AND HEALTH PROGRAMS FUND

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses to carry out the provisions
9 of chapters 1 and 10 of part I of the Foreign Assistance
10 Act of 1961, for child survival, health, and family plan-
11 ning/reproductive health activities, in addition to funds
12 otherwise available for such purposes, \$1,565,613,000, to
13 remain available until September 30, 2008: *Provided*,
14 That this amount shall be made available for such activi-
15 ties as: (1) immunization programs; (2) oral rehydration
16 programs; (3) health, nutrition, water and sanitation pro-
17 grams which directly address the needs of mothers and
18 children, and related education programs; (4) assistance
19 for children displaced or orphaned by causes other than
20 AIDS; (5) programs for the prevention, treatment, control
21 of, and research on HIV/AIDS, tuberculosis, polio, ma-
22 laria, and other infectious diseases, and for assistance to
23 communities severely affected by HIV/AIDS, including
24 children displaced or orphaned by AIDS; and (6) family
25 planning/reproductive health: *Provided further*, That none

1 of the funds appropriated under this heading may be made
2 available for nonproject assistance, except that funds may
3 be made available for such assistance for ongoing health
4 activities: *Provided further*, That of the funds appropriated
5 under this heading, not to exceed \$350,000, in addition
6 to funds otherwise available for such purposes, may be
7 used to monitor and provide oversight of child survival,
8 maternal and family planning/reproductive health, and in-
9 fectious disease programs: *Provided further*, That the fol-
10 lowing amounts should be allocated as follows:
11 \$356,400,000 for child survival and maternal health;
12 \$25,000,000 for vulnerable children; \$346,621,000 for
13 HIV/AIDS; \$287,592,000 for other infectious diseases;
14 and \$350,000,000 for family planning/reproductive health,
15 including in areas where population growth threatens bio-
16 diversity or endangered species: *Provided further*, That of
17 the funds appropriated under this heading, and in addition
18 to funds allocated under the previous proviso, not less
19 than \$200,000,000 shall be made available, notwith-
20 standing any other provision of law, except for the United
21 States Leadership Against HIV/AIDS, Tuberculosis and
22 Malaria Act of 2003 (Public Law 108–25), for a United
23 States contribution to the Global Fund to Fight AIDS,
24 Tuberculosis and Malaria (the “Global Fund”), and shall
25 be expended at the minimum rate necessary to make time-

1 ly payment for projects and activities: *Provided further,*
2 That funds appropriated under this heading, may be made
3 available for a United States contribution to The GAVI
4 Fund, and up to \$6,000,000 may be transferred to and
5 merged with funds appropriated by this Act under the
6 heading “Operating Expenses of the United States Agency
7 for International Development” for costs directly related
8 to international health, but funds made available for such
9 costs may not be derived from amounts made available
10 for contributions under this and preceding provisos: *Pro-*
11 *vided further,* That none of the funds made available in
12 this Act nor any unobligated balances from prior appro-
13 priations may be made available to any organization or
14 program which, as determined by the President of the
15 United States, supports or participates in the manage-
16 ment of a program of coercive abortion or involuntary
17 sterilization: *Provided further,* That none of the funds
18 made available under this Act may be used to pay for the
19 performance of abortion as a method of family planning
20 or to motivate or coerce any person to practice abortions:
21 *Provided further,* That nothing in this paragraph shall be
22 construed to alter any existing statutory prohibitions
23 against abortion under section 104 of the Foreign Assist-
24 ance Act of 1961: *Provided further,* That none of the funds
25 made available under this Act may be used to lobby for

1 or against abortion: *Provided further*, That in order to re-
2 duce reliance on abortion in developing nations, funds
3 shall be available only to voluntary family planning
4 projects which offer, either directly or through referral to,
5 or information about access to, a broad range of family
6 planning methods and services, and that any such vol-
7 untary family planning project shall meet the following re-
8 quirements: (1) service providers or referral agents in the
9 project shall not implement or be subject to quotas, or
10 other numerical targets, of total number of births, number
11 of family planning acceptors, or acceptors of a particular
12 method of family planning (this provision shall not be con-
13 strued to include the use of quantitative estimates or indi-
14 cators for budgeting and planning purposes); (2) the
15 project shall not include payment of incentives, bribes,
16 gratuities, or financial reward to: (A) an individual in ex-
17 change for becoming a family planning acceptor; or (B)
18 program personnel for achieving a numerical target or
19 quota of total number of births, number of family planning
20 acceptors, or acceptors of a particular method of family
21 planning; (3) the project shall not deny any right or ben-
22 efit, including the right of access to participate in any pro-
23 gram of general welfare or the right of access to health
24 care, as a consequence of any individual's decision not to
25 accept family planning services; (4) the project shall pro-

1 vide family planning acceptors comprehensible information
2 on the health benefits and risks of the method chosen, in-
3 cluding those conditions that might render the use of the
4 method inadvisable and those adverse side effects known
5 to be consequent to the use of the method; and (5) the
6 project shall ensure that experimental contraceptive drugs
7 and devices and medical procedures are provided only in
8 the context of a scientific study in which participants are
9 advised of potential risks and benefits; and, not less than
10 60 days after the date on which the Administrator of the
11 United States Agency for International Development de-
12 termines that there has been a violation of the require-
13 ments contained in paragraph (1), (2), (3), or (5) of this
14 proviso, or a pattern or practice of violations of the re-
15 quirements contained in paragraph (4) of this proviso, the
16 Administrator shall submit to the Committees on Appro-
17 priations a report containing a description of such viola-
18 tion and the corrective action taken by the Agency: *Pro-*
19 *vided further*, That in awarding grants for natural family
20 planning under section 104 of the Foreign Assistance Act
21 of 1961 no applicant shall be discriminated against be-
22 cause of such applicant's religious or conscientious com-
23 mitment to offer only natural family planning; and, addi-
24 tionally, all such applicants shall comply with the require-
25 ments of the previous proviso: *Provided further*, That for

1 purposes of this or any other Act authorizing or appro-
2 priating funds for foreign operations, export financing,
3 and related programs, the term “motivate”, as it relates
4 to family planning assistance, shall not be construed to
5 prohibit the provision, consistent with local law, of infor-
6 mation or counseling about all pregnancy options: *Pro-*
7 *vided further*, That to the maximum extent feasible, taking
8 into consideration cost, timely availability, and best health
9 practices, funds appropriated in this Act or prior appro-
10 priations Acts that are made available for condom pro-
11 curement shall be made available only for the procurement
12 of condoms manufactured in the United States: *Provided*
13 *further*, That information provided about the use of
14 condoms as part of projects or activities that are funded
15 from amounts appropriated by this Act shall be medically
16 accurate and shall include the public health benefits and
17 failure rates of such use.

18 DEVELOPMENT ASSISTANCE

19 For necessary expenses to carry out the provisions
20 of sections 103, 105, 106, and sections 251 through 255,
21 and chapter 10 of part I of the Foreign Assistance Act
22 of 1961, \$1,294,000,000, to remain available until Sep-
23 tember 30, 2008: *Provided*, That \$365,000,000 should be
24 allocated for basic education: *Provided further*, That of
25 the funds appropriated under this heading and managed

1 by the United States Agency for International Develop-
2 ment Bureau of Democracy, Conflict, and Humanitarian
3 Assistance, not less than \$15,000,000 shall be made
4 available only for programs to improve women's leader-
5 ship capacity in recipient countries: *Provided further*,
6 That such funds may not be made available for construc-
7 tion: *Provided further*, That of the funds appropriated
8 under this heading that are made available for assistance
9 programs for displaced and orphaned children and vic-
10 tims of war, not to exceed \$42,500, in addition to funds
11 otherwise available for such purposes, may be used to
12 monitor and provide oversight of such programs: *Pro-*
13 *vided further*, That funds appropriated under this head-
14 ing should be made available for programs in sub-Saha-
15 ran Africa to address sexual and gender-based violence:
16 *Provided further*, That of the funds appropriated under
17 this heading, \$10,000,000 may be made available for co-
18 operative development programs within the Office of Pri-
19 vate and Voluntary Cooperation: *Provided further*, That
20 not less than \$20,000,000 should be made available for
21 rural water and sanitation projects in East Africa.

22 INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

23 For necessary expenses to carry out the provisions
24 of section 491 of the Foreign Assistance Act of 1961 for
25 international disaster relief, rehabilitation, and recon-

struction assistance, \$348,800,000, to remain available until expended, of which \$30,000,000 should be for famine prevention and relief.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, \$40,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: *Provided further*, That if the President determines that it is important to the national interests of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to \$15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: *Provided further*, That

1 funds made available pursuant to the previous proviso
2 shall be made available subject to prior consultation with
3 the Committees on Appropriations.

4 DEVELOPMENT CREDIT AUTHORITY
5 (INCLUDING TRANSFER OF FUNDS)

6 For the cost of direct loans and loan guarantees pro-
7 vided by the United States Agency for International De-
8 velopment, as authorized by sections 256 and 635 of the
9 Foreign Assistance Act of 1961, up to \$21,000,000 may
10 be derived by transfer from funds appropriated by this Act
11 to carry out part I of such Act and under the heading
12 “Assistance for Eastern Europe and the Baltic States”:
13 *Provided*, That such funds shall be made available only
14 for micro and small enterprise programs, urban programs,
15 and other programs which further the purposes of part
16 I of the Act: *Provided further*, That such costs, including
17 the cost of modifying such direct and guaranteed loans,
18 shall be as defined in section 502 of the Congressional
19 Budget Act of 1974, as amended: *Provided further*, That
20 funds made available by this paragraph may be used for
21 the cost of modifying any such guaranteed loans under
22 this Act or prior Acts, and funds used for such costs shall
23 be subject to the regular notification procedures of the
24 Committees on Appropriations: *Provided further*, That the
25 provisions of section 107A(d) (relating to general provi-

1 sions applicable to the Development Credit Authority) of
2 the Foreign Assistance Act of 1961, as contained in sec-
3 tion 306 of H.R. 1486 as reported by the House Com-
4 mittee on International Relations on May 9, 1997, shall
5 be applicable to direct loans and loan guarantees provided
6 under this heading: *Provided further*, That these funds are
7 available to subsidize total loan principal, any portion of
8 which is to be guaranteed, of up to \$700,000,000.

9 In addition, for administrative expenses to carry out
10 credit programs administered by the United States Agency
11 for International Development, \$8,400,000, which may be
12 transferred to and merged with the appropriation for Op-
13 erating Expenses of the United States Agency for Inter-
14 national Development: *Provided*, That funds made avail-
15 able under this heading shall remain available until Sep-
16 tember 30, 2009.

17 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
18 DISABILITY FUND

19 For payment to the “Foreign Service Retirement and
20 Disability Fund”, as authorized by the Foreign Service
21 Act of 1980, \$38,700,000.

22 OPERATING EXPENSES OF THE UNITED STATES AGENCY
23 FOR INTERNATIONAL DEVELOPMENT

24 For necessary expenses to carry out the provisions
25 of section 667 of the Foreign Assistance Act of 1961,

1 \$646,000,000, of which up to \$25,000,000 may remain
2 available until September 30, 2008: *Provided*, That none
3 of the funds appropriated under this heading and under
4 the heading “Capital Investment Fund” may be made
5 available to finance the construction (including architect
6 and engineering services), purchase, or long-term lease of
7 offices for use by the United States Agency for Inter-
8 national Development, unless the Administrator has iden-
9 tified such proposed construction (including architect and
10 engineering services), purchase, or long-term lease of of-
11 fices in a report submitted to the Committees on Appro-
12 priations at least 15 days prior to the obligation of these
13 funds for such purposes: *Provided further*, That the pre-
14 vious proviso shall not apply where the total cost of con-
15 struction (including architect and engineering services),
16 purchase, or long-term lease of offices does not exceed
17 \$1,000,000: *Provided further*, That contracts or agree-
18 ments entered into with funds appropriated under this
19 heading may entail commitments for the expenditure of
20 such funds through fiscal year 2008: *Provided further*,
21 That none of the funds in this Act may be used to open
22 a new overseas mission of the United States Agency for
23 International Development without the prior written noti-
24 fication to the Committees on Appropriations: *Provided*
25 *further*, That the authority of sections 610 and 109 of

1 the Foreign Assistance Act of 1961 may be exercised by
2 the Secretary of State to transfer funds appropriated to
3 carry out chapter 1 of part I of such Act to “Operating
4 Expenses of the United States Agency for International
5 Development” in accordance with the provisions of those
6 sections: *Provided further*, That none of the funds appro-
7 priated by this Act or any prior Act making appropria-
8 tions for foreign operations, export financing, or related
9 programs may be used by the United States Agency for
10 International Development for the rent of buildings and
11 space in buildings in the United States pursuant to the
12 authority of section 636(a)(1) of the Foreign Assistance
13 Act of 1961: *Provided further*, That the previous proviso
14 shall not apply to any lease, agreement, or other instru-
15 ment executed for the purpose of maintaining United
16 States Agency for International Development continuity
17 of operations and to the cost of terminating the domestic
18 lease executed on September 30, 2005.

19 CAPITAL INVESTMENT FUND OF THE UNITED STATES
20 AGENCY FOR INTERNATIONAL DEVELOPMENT

21 For necessary expenses for overseas construction and
22 related costs, and for the procurement and enhancement
23 of information technology and related capital investments,
24 pursuant to section 667 of the Foreign Assistance Act of
25 1961, \$105,300,000, to remain available until expended:

1 *Provided*, That this amount is in addition to funds other-
 2 wise available for such purposes: *Provided further*, That
 3 funds appropriated under this heading shall be available
 4 for obligation only pursuant to the regular notification
 5 procedures of the Committees on Appropriations: *Provided*
 6 *further*, That of the funds appropriated under this head-
 7 ing, not to exceed \$89,000,000 may be made available for
 8 the purposes of implementing the Capital Security Cost
 9 Sharing Program.

10 UNITED STATES AGENCY FOR INTERNATIONAL

11 DEVELOPMENT OFFICE OF INSPECTOR GENERAL

12 For necessary expenses to carry out the provisions
 13 of section 667 of the Foreign Assistance Act of 1961,
 14 \$39,000,000, to remain available until September 30,
 15 2008, which sum shall be available for the Office of the
 16 Inspector General of the United States Agency for Inter-
 17 national Development.

18 OTHER BILATERAL ECONOMIC ASSISTANCE

19 ECONOMIC SUPPORT FUND

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses to carry out the provisions
 22 of chapter 4 of part II, \$2,650,740,000, to remain avail-
 23 able until September 30, 2008: *Provided*, That of the
 24 funds appropriated under this heading, not less than
 25 \$120,000,000 shall be available only for Israel, which sum

1 shall be available on a grant basis as a cash transfer and
2 shall be disbursed within 30 days of the enactment of this
3 Act: *Provided further*, That not less than \$455,000,000
4 shall be available only for Egypt, which sum shall be pro-
5 vided on a grant basis, and of which sum cash transfer
6 assistance shall be provided with the understanding that
7 Egypt will undertake significant economic and political re-
8 forms which are additional to those which were under-
9 taken in previous fiscal years: *Provided further*, That with
10 respect to the provision of assistance for Egypt for democ-
11 racy and governance activities, the organizations imple-
12 menting such assistance and the specific nature of that
13 assistance shall not be subject to the prior approval by
14 the Government of Egypt: *Provided further*, That of the
15 funds appropriated under this heading for assistance for
16 Egypt, not less than \$135,000,000 shall be made available
17 for project assistance, of which not less than \$50,000,000
18 shall be made available for democracy, human rights and
19 governance programs and not less than \$50,000,000 shall
20 be used for education programs: *Provided further*, That
21 of the funds appropriated under this heading for assist-
22 ance for Egypt for economic reform activities,
23 \$200,000,000 shall be withheld from obligation until the
24 Secretary of State determines and reports to the Commit-
25 tees on Appropriations that Egypt has met the calendar

1 year 2005 benchmarks accompanying the “Financial Sec-
2 tor Reform Memorandum of Understanding” dated March
3 20, 2005: *Provided further*, That of the funds appropriated
4 under this heading, \$135,000,000 is available only to
5 carry out programs in Colombia and may be transferred
6 to “Development Assistance” to continue programs ad-
7 ministered by the United States Agency for International
8 Development: *Provided further*, That \$15,000,000 of the
9 funds appropriated under this heading should be made
10 available for Cyprus to be used only for scholarships, ad-
11 ministrative support of the scholarship program,
12 bicommunal projects, and measures aimed at reunification
13 of the island and designed to reduce tensions and promote
14 peace and cooperation between the two communities on
15 Cyprus: *Provided further*, That in exercising the authority
16 to provide cash transfer assistance for Israel, the Presi-
17 dent shall ensure that the level of such assistance does
18 not cause an adverse impact on the total level of non-
19 military exports from the United States to such country
20 and that Israel enters into a side letter agreement in an
21 amount proportional to the fiscal year 1999 agreement:
22 *Provided further*, That of the funds appropriated under
23 this heading, not less than \$250,500,000 should be made
24 available only for assistance for Jordan: *Provided further*,
25 That none of the funds appropriated under this heading

1 may be made available for assistance for the West Bank
2 and Gaza: *Provided further*, That \$35,500,000 of the
3 funds appropriated under this heading shall be made avail-
4 able for assistance for Lebanon, of which not less than
5 \$6,000,000 should be made available for scholarships and
6 direct support of American educational institutions in
7 Lebanon: *Provided further*, That not more than
8 \$225,000,000 of the funds made available for assistance
9 for Afghanistan under this heading may be obligated for
10 such assistance until the Secretary of State certifies to the
11 Committees on Appropriations that the Government of Af-
12 ghanistan at both the national and local level is cooper-
13 ating fully with United States funded poppy eradication
14 and interdiction efforts in Afghanistan: *Provided further*,
15 That such report shall include an analysis of the steps
16 being taken by the Government of Afghanistan, at the na-
17 tional and local level, to cooperate fully with United States
18 funded poppy eradication and interdiction efforts in Af-
19 ghanistan: *Provided further*, That of the funds appro-
20 priated under this heading that are available for assistance
21 for the Democratic Republic of Timor-Leste, up to
22 \$1,000,000 may be available for administrative expenses
23 of the United States Agency for International Develop-
24 ment: *Provided further*, That notwithstanding any other
25 provision of law, funds appropriated under this heading

1 may be made available for programs and activities for the
2 Central Highlands of Vietnam: *Provided further*, That
3 funds appropriated under this heading that are made
4 available for a Middle East Financing Facility, Middle
5 East Enterprise Fund, or any other similar entity in the
6 Middle East shall be subject to the regular notification
7 procedures of the Committees on Appropriations.

8 INTERNATIONAL FUND FOR IRELAND

9 For necessary expenses to carry out the provisions
10 of chapter 4 of part II of the Foreign Assistance Act of
11 1961, \$10,800,000, which shall be available for the United
12 States contribution to the International Fund for Ireland
13 and shall be made available in accordance with the provi-
14 sions of the Anglo-Irish Agreement Support Act of 1986
15 (Public Law 99–415): *Provided*, That such amount shall
16 be expended at the minimum rate necessary to make time-
17 ly payment for projects and activities: *Provided further*,
18 That funds made available under this heading shall re-
19 main available until September 30, 2008.

20 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
21 STATES

22 (a) For necessary expenses to carry out the provisions
23 of the Foreign Assistance Act of 1961 and the Support
24 for East European Democracy (SEED) Act of 1989,
25 \$227,900,000, to remain available until September 30,

1 2008, which shall be available, notwithstanding any other
2 provision of law, for assistance and for related programs
3 for Eastern Europe and the Baltic States.

4 (b) Funds appropriated under this heading shall be
5 considered to be economic assistance under the Foreign
6 Assistance Act of 1961 for purposes of making available
7 the administrative authorities contained in that Act for
8 the use of economic assistance.

9 (c) The provisions of section 529 of this Act shall
10 apply to funds appropriated under this heading: *Provided*,
11 That notwithstanding any provision of this or any other
12 Act, including provisions in this subsection regarding the
13 application of section 529 of this Act, local currencies gen-
14 erated by, or converted from, funds appropriated by this
15 Act and by previous appropriations Acts and made avail-
16 able for the economic revitalization program in Bosnia
17 may be used in Eastern Europe and the Baltic States to
18 carry out the provisions of the Foreign Assistance Act of
19 1961 and the SEED Act.

20 (d) The President is authorized to withhold funds ap-
21 propriated under this heading made available for economic
22 revitalization programs in Bosnia and Herzegovina, if he
23 determines and certifies to the Committees on Appropria-
24 tions that the Federation of Bosnia and Herzegovina has
25 not complied with article III of annex 1–A of the General

1 Framework Agreement for Peace in Bosnia and
2 Herzegovina concerning the withdrawal of foreign forces,
3 and that intelligence cooperation on training, investiga-
4 tions, and related activities between state sponsors of ter-
5 rorism and terrorist organizations and Bosnian officials
6 has not been terminated.

7 ASSISTANCE FOR THE INDEPENDENT STATES OF THE
8 FORMER SOVIET UNION

9 (a) For necessary expenses to carry out the provisions
10 of chapters 11 and 12 of part I of the Foreign Assistance
11 Act of 1961 and the FREEDOM Support Act, for assist-
12 ance for the Independent States of the former Soviet
13 Union and for related programs, \$371,280,000, to remain
14 available until September 30, 2008: *Provided*, That the
15 provisions of such chapters shall apply to funds appro-
16 priated by this paragraph: *Provided further*, That funds
17 made available for the Southern Caucasus region may be
18 used, notwithstanding any other provision of law, for con-
19 fidence-building measures and other activities in further-
20 ance of the peaceful resolution of the regional conflicts,
21 especially those in the vicinity of Abkhazia and Nagorno-
22 Karabagh: *Provided further*, That notwithstanding any
23 other provision of law, funds appropriated under this
24 heading in this Act or prior Acts making appropriations
25 for foreign operations, export financing, and related pro-

1 grams, that are made available pursuant to the provisions
2 of section 807 of Public Law 102–511 shall be subject
3 to a 6 percent ceiling on administrative expenses.

4 (b) Of the funds appropriated under this heading, not
5 less than \$41,000,000 should be made available, in addi-
6 tion to funds otherwise available for such purposes, for
7 assistance for child survival, environmental and reproduc-
8 tive health, and to combat HIV/AIDS, tuberculosis and
9 other infectious diseases, and for related activities.

10 (c)(1) Of the funds appropriated under this heading
11 that are allocated for assistance for the Government of
12 the Russian Federation, 60 percent shall be withheld from
13 obligation until the President determines and certifies in
14 writing to the Committees on Appropriations that the Gov-
15 ernment of the Russian Federation—

16 (A) has terminated implementation of arrange-
17 ments to provide Iran with technical expertise, train-
18 ing, technology, or equipment necessary to develop a
19 nuclear reactor, related nuclear research facilities or
20 programs, or ballistic missile capability; and

21 (B) is providing full access to international non-
22 government organizations providing humanitarian
23 relief to refugees and internally displaced persons in
24 Chechnya.

25 (2) Paragraph (1) shall not apply to—

1 (A) assistance to combat infectious diseases,
2 child survival activities, or assistance for victims of
3 trafficking in persons; and

4 (B) activities authorized under title V (Non-
5 proliferation and Disarmament Programs and Ac-
6 tivities) of the FREEDOM Support Act.

7 (d) Section 907 of the FREEDOM Support Act shall
8 not apply to—

9 (1) activities to support democracy or assist-
10 ance under title V of the FREEDOM Support Act
11 and section 1424 of Public Law 104–201 or non-
12 proliferation assistance;

13 (2) any assistance provided by the Trade and
14 Development Agency under section 661 of the For-
15 eign Assistance Act of 1961;

16 (3) any activity carried out by a member of the
17 United States and Foreign Commercial Service while
18 acting within his or her official capacity;

19 (4) any insurance, reinsurance, guarantee or
20 other assistance provided by the Overseas Private
21 Investment Corporation under title IV of chapter 2
22 of part I of the Foreign Assistance Act of 1961;

23 (5) any financing provided under the Export-
24 Import Bank Act of 1945; or

25 (6) humanitarian assistance.

1 TRADE CAPACITY ENHANCEMENT FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to carry out the provisions
4 of the Foreign Assistance Act of 1961 for the enhance-
5 ment of trade capacity in foreign countries, \$522,000,000,
6 to remain available until September 30, 2008: *Provided*,
7 That these funds shall be available to the Director of
8 Trade Capacity Enhancement to be used only for enhance-
9 ing trade capacity, most especially to assist a country in
10 efforts to qualify for, implement and benefit from free
11 trade agreements with the United States: *Provided further*,
12 That in order to accomplish the purposes provided herein,
13 funds appropriated under this heading may be transferred
14 to and merged with funds appropriated by this Act under
15 the headings “Development Assistance”, “Economic Sup-
16 port Fund”, “Assistance for Eastern Europe and the Bal-
17 tic States”, “Assistance to Independent States of the
18 Former Soviet Union”, and “Andean Counterdrug Initia-
19 tive”: *Provided further*, That any such transfers shall be
20 subject to the regular notification procedures of the Com-
21 mittees on Appropriations: *Provided further*, That funds
22 appropriated under this heading are in addition to funds
23 otherwise available for such purposes.

1 INDEPENDENT AGENCIES

2 INTER-AMERICAN FOUNDATION

3 For necessary expenses to carry out the functions of
4 the Inter-American Foundation in accordance with the
5 provisions of section 401 of the Foreign Assistance Act
6 of 1969, \$19,268,000, to remain available until Sep-
7 tember 30, 2008.

8 AFRICAN DEVELOPMENT FOUNDATION

9 For necessary expenses to carry out title V of the
10 International Security and Development Cooperation Act
11 of 1980, Public Law 96–533, \$22,726,000, to remain
12 available until September 30, 2008: *Provided*, That funds
13 made available to grantees may be invested pending ex-
14 penditure for project purposes when authorized by the
15 Board of Directors of the Foundation: *Provided further*,
16 That interest earned shall be used only for the purposes
17 for which the grant was made: *Provided further*, That not-
18 withstanding section 505(a)(2) of the African Develop-
19 ment Foundation Act, (1) in exceptional circumstances the
20 Board of Directors of the Foundation may waive the
21 \$250,000 limitation contained in that section with respect
22 to a project and (2) a project may exceed the limitation
23 by up to \$10,000 if the increase is due solely to foreign
24 currency fluctuation: *Provided further*, That the Founda-

1 tion shall provide a report to the Committees on Appro-
2 priations after each time such authority is exercised.

3 PEACE CORPS

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses to carry out the provisions
6 of the Peace Corps Act (75 Stat. 612), including the pur-
7 chase of not to exceed five passenger motor vehicles for
8 administrative purposes for use outside of the United
9 States, \$324,587,000, to remain available until September
10 30, 2008: *Provided*, That none of the funds appropriated
11 under this heading shall be used to pay for abortions: *Pro-*
12 *vided further*, That the Director may transfer to the For-
13 eign Currency Fluctuations Account, as authorized by 22
14 U.S.C. 2515, an amount not to exceed \$2,000,000: *Pro-*
15 *vided further*, That funds transferred pursuant to the pre-
16 vious proviso may not be derived from amounts made
17 available for Peace Corps overseas operations.

18 MILLENNIUM CHALLENGE CORPORATION

19 For necessary expenses for the “Millennium Chal-
20 lenge Corporation”, \$2,000,000,000, to remain available
21 until expended: *Provided*, That of the funds appropriated
22 under this heading, up to \$95,000,000 may be available
23 for administrative expenses of the Millennium Challenge
24 Corporation: *Provided further*, That up to 10 percent of
25 the funds appropriated under this heading may be made

1 available to carry out the purposes of section 616 of the
2 Millennium Challenge Act of 2003 for candidate countries
3 for fiscal year 2007: *Provided further*, That none of the
4 funds available to carry out section 616 of such Act may
5 be made available until the Chief Executive Officer of the
6 Millennium Challenge Corporation provides a report to the
7 Committees on Appropriations listing the candidate coun-
8 tries that will be receiving assistance under section 616
9 of such Act, the level of assistance proposed for each such
10 country, a description of the proposed programs, projects
11 and activities, and the implementing agency or agencies
12 of the United States Government: *Provided further*, That
13 section 605(e)(4) of the Millennium Challenge Act of 2003
14 shall apply to funds appropriated under this heading: *Pro-*
15 *vided further*, That funds appropriated under this heading
16 may be made available for a Millennium Challenge Com-
17 pact entered into pursuant to section 609 of the Millen-
18 nium Challenge Act of 2003 only if such Compact obli-
19 gates, or contains a commitment to obligate subject to the
20 availability of funds and the mutual agreement of the par-
21 ties to the Compact to proceed, the entire amount of the
22 United States Government funding anticipated for the du-
23 ration of the Compact.

1 DEPARTMENT OF STATE

2 GLOBAL HIV/AIDS INITIATIVE

3 For necessary expenses to carry out the provisions
4 of the Foreign Assistance Act of 1961 for the prevention,
5 treatment, and control of, and research on, HIV/AIDS,
6 including administrative expenses of the Office of the
7 Global AIDS Coordinator, \$2,772,500,000, to remain
8 available until expended, of which \$244,500,000 shall be
9 made available, notwithstanding any other provision of
10 law, except for the United States Leadership Against
11 HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public
12 Law 108–25) for a United States contribution to the Glob-
13 al Fund to Fight AIDS, Tuberculosis and Malaria, and
14 shall be expended at the minimum rate necessary to make
15 timely payment for projects and activities: *Provided*, That
16 up to 5 percent of the aggregate amount of funds made
17 available to the Global Fund in fiscal year 2007 may be
18 made available to the Office of the United States Global
19 AIDS Coordinator for technical assistance related to the
20 activities of the Global Fund.

21 INTERNATIONAL NARCOTICS CONTROL AND LAW

22 ENFORCEMENT

23 For necessary expenses to carry out section 481 of
24 the Foreign Assistance Act of 1961, \$703,600,000, to re-
25 main available until September 30, 2009: *Provided*, That

1 during fiscal year 2007, the Department of State may also
2 use the authority of section 608 of the Foreign Assistance
3 Act of 1961, without regard to its restrictions, to receive
4 excess property from an agency of the United States Gov-
5 ernment for the purpose of providing it to a foreign coun-
6 try under chapter 8 of part I of that Act subject to the
7 regular notification procedures of the Committees on Ap-
8 propriations: *Provided further*, That the Secretary of State
9 shall provide to the Committees on Appropriations not
10 later than 45 days after the date of the enactment of this
11 Act and prior to the initial obligation of funds appro-
12 priated under this heading, a report on the proposed uses
13 of all funds under this heading on a country-by-country
14 basis for each proposed program, project, or activity: *Pro-*
15 *vided further*, That of the funds appropriated under this
16 heading, not less than \$16,250,000 shall be made avail-
17 able for training programs and activities of the Inter-
18 national Law Enforcement Academies: *Provided further*,
19 That of the funds appropriated under this heading,
20 \$26,100,000 shall be made available to carry out pro-
21 grams in Colombia: *Provided further*, That \$10,000,000
22 of the funds appropriated under this heading shall be
23 made available for demand reduction programs: *Provided*
24 *further*, That of the funds appropriated under this head-

1 ing, not more than \$33,484,000 may be available for ad-
2 ministrative expenses.

3 ANDEAN COUNTERDRUG INITIATIVE

4 For necessary expenses to carry out section 481 of
5 the Foreign Assistance Act of 1961 to support
6 counterdrug activities in the Andean region of South
7 America, \$506,850,000, to remain available until Sep-
8 tember 30, 2009: *Provided*, That in fiscal year 2007,
9 funds available to the Department of State for assistance
10 to the Government of Colombia shall be available to sup-
11 port a unified campaign against narcotics trafficking,
12 against activities by organizations designated as terrorist
13 organizations such as the Revolutionary Armed Forces of
14 Colombia (FARC), the National Liberation Army (ELN),
15 and the United Self-Defense Forces of Colombia (AUC),
16 and to take actions to protect human health and welfare
17 in emergency circumstances, including undertaking rescue
18 operations: *Provided further*, That this authority shall
19 cease to be effective if the Secretary of State has credible
20 evidence that the Colombian Armed Forces are not con-
21 ducting vigorous operations to restore government author-
22 ity and respect for human rights in areas under the effec-
23 tive control of paramilitary and guerrilla organizations:
24 *Provided further*, That the President shall ensure that if
25 any helicopter procured with funds under this heading is

1 used to aid or abet the operations of any illegal self-de-
2 fense group or illegal security cooperative, such helicopter
3 shall be immediately returned to the United States: *Pro-*
4 *vided further*, That the Secretary of State, in consultation
5 with the Administrator of the United States Agency for
6 International Development, shall provide to the Commit-
7 tees on Appropriations not later than 45 days after the
8 date of the enactment of this Act and prior to the initial
9 obligation of funds appropriated under this heading, a re-
10 port on the proposed uses of all funds under this heading
11 on a country-by-country basis for each proposed program,
12 project, or activity: *Provided further*, That funds made
13 available in this Act for demobilization/reintegration of
14 members of foreign terrorist organizations in Colombia
15 shall be subject to prior consultation with, and the regular
16 notification procedures of, the Committees on Appropria-
17 tions: *Provided further*, That section 482(b) of the Foreign
18 Assistance Act of 1961 shall not apply to funds appro-
19 priated under this heading: *Provided further*, That assist-
20 ance provided with funds appropriated under this heading
21 that is made available notwithstanding section 482(b) of
22 the Foreign Assistance Act of 1961 shall be made avail-
23 able subject to the regular notification procedures of the
24 Committees on Appropriations: *Provided further*, That of
25 the funds appropriated under this heading that are avail-

1 able for alternative development/institution building, not
2 less than \$85,400,000 shall be apportioned directly to the
3 United States Agency for International Development: *Pro-*
4 *vided further*, That with respect to funds apportioned to
5 the United States Agency for International Development
6 under the previous proviso, the responsibility for policy de-
7 cisions for the use of such funds, including what activities
8 will be funded and the amount of funds that will be pro-
9 vided for each of those activities, shall be the responsibility
10 of the Director of Foreign Assistance in consultation with
11 the Assistant Secretary of State for International Nar-
12 cotics and Law Enforcement Affairs: *Provided further*,
13 That no United States Armed Forces personnel or United
14 States civilian contractor employed by the United States
15 will participate in any combat operation in connection with
16 assistance made available by this Act for Colombia: *Pro-*
17 *vided further*, That funds appropriated under this heading
18 that are made available for assistance for the Bolivian
19 military may be made available for such purposes only if
20 the Secretary of State certifies that the Bolivian military
21 is respecting human rights, and civilian judicial authori-
22 ties are investigating and prosecuting, with the military's
23 cooperation, military personnel who have been implicated
24 in gross violations of human rights: *Provided further*, That
25 of the funds appropriated under this heading, not more

1 than \$18,060,000 may be available for administrative ex-
2 penses of the Department of State, and not more than
3 \$7,800,000 may be available, in addition to amounts oth-
4 erwise available for such purposes, for administrative ex-
5 penses of the United States Agency for International De-
6 velopment.

7 MIGRATION AND REFUGEE ASSISTANCE

8 For expenses, not otherwise provided for, necessary
9 to enable the Secretary of State to provide, as authorized
10 by law, a contribution to the International Committee of
11 the Red Cross, assistance to refugees, including contribu-
12 tions to the International Organization for Migration and
13 the United Nations High Commissioner for Refugees, and
14 other activities to meet refugee and migration needs; sala-
15 ries and expenses of personnel and dependents as author-
16 ized by the Foreign Service Act of 1980; allowances as
17 authorized by sections 5921 through 5925 of title 5,
18 United States Code; purchase and hire of passenger motor
19 vehicles; and services as authorized by section 3109 of title
20 5, United States Code, \$750,206,000, to remain available
21 until expended: *Provided*, That not more than
22 \$23,000,000 may be available for administrative expenses:
23 *Provided further*, That not less than \$40,000,000 of the
24 funds made available under this heading shall be made
25 available for refugees from the former Soviet Union and

1 Eastern Europe and other refugees resettling in Israel:
 2 *Provided further*, That funds appropriated under this
 3 heading may be made available for a headquarters con-
 4 tribution to the International Committee of the Red Cross
 5 only if the Secretary of State determines (and so reports
 6 to the appropriate committees of Congress) that the
 7 Magen David Adom Society of Israel is not being denied
 8 participation in the activities of the International Red
 9 Cross and Red Crescent Movement.

10 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
 11 ASSISTANCE FUND

12 For necessary expenses to carry out the provisions
 13 of section 2(c) of the Migration and Refugee Assistance
 14 Act of 1962, as amended (22 U.S.C. 2601(c)),
 15 \$30,000,000, to remain available until expended.

16 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
 17 RELATED PROGRAMS

18 For necessary expenses for nonproliferation, anti-ter-
 19 rorism, demining and related programs and activities,
 20 \$425,010,000, to carry out the provisions of chapter 8 of
 21 part II of the Foreign Assistance Act of 1961 for anti-
 22 terrorism assistance, chapter 9 of part II of the Foreign
 23 Assistance Act of 1961, section 504 of the FREEDOM
 24 Support Act, section 23 of the Arms Export Control Act
 25 or the Foreign Assistance Act of 1961 for demining activi-

1 ties, the clearance of unexploded ordnance, the destruction
2 of small arms, and related activities, notwithstanding any
3 other provision of law, including activities implemented
4 through nongovernmental and international organizations,
5 and section 301 of the Foreign Assistance Act of 1961
6 for a voluntary contribution to the International Atomic
7 Energy Agency (IAEA), and for a United States contribu-
8 tion to the Comprehensive Nuclear Test Ban Treaty Pre-
9 paratory Commission: *Provided*, That of this amount not
10 to exceed \$38,000,000, to remain available until expended,
11 may be made available for the Nonproliferation and Disar-
12 mament Fund, notwithstanding any other provision of
13 law, to promote bilateral and multilateral activities relat-
14 ing to nonproliferation and disarmament: *Provided further*,
15 That such funds may also be used for such countries other
16 than the Independent States of the former Soviet Union
17 and international organizations when it is in the national
18 security interest of the United States to do so: *Provided*
19 *further*, That funds appropriated under this heading may
20 be made available for the International Atomic Energy
21 Agency only if the Secretary of State determines (and so
22 reports to the Congress) that Israel is not being denied
23 its right to participate in the activities of that Agency:
24 *Provided further*, That of the funds made available for
25 demining and related activities, not to exceed \$700,000,

1 in addition to funds otherwise available for such purposes,
2 may be used for administrative expenses related to the op-
3 eration and management of the demining program: *Pro-*
4 *vided further*, That funds appropriated under this heading
5 that are available for “Anti-terrorism Assistance” and
6 “Export Control and Border Security” shall remain avail-
7 able until September 30, 2008.

8 DEPARTMENT OF THE TREASURY

9 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

10 For necessary expenses to carry out the provisions
11 of section 129 of the Foreign Assistance Act of 1961,
12 \$23,700,000, to remain available until September 30,
13 2009, which shall be available notwithstanding any other
14 provision of law that restricts assistance to foreign coun-
15 tries.

16 DEBT RESTRUCTURING

17 For the cost, as defined in section 502 of the Con-
18 gressional Budget Act of 1974, of modifying loans and
19 loan guarantees, as the President may determine, for
20 which funds have been appropriated or otherwise made
21 available for programs within the International Affairs
22 Budget Function 150, including the cost of selling, reduc-
23 ing, or canceling amounts owed to the United States as
24 a result of concessional loans made to eligible countries,
25 pursuant to parts IV and V of the Foreign Assistance Act

1 of 1961, of modifying concessional credit agreements with
 2 least developed countries, as authorized under section 411
 3 of the Agricultural Trade Development and Assistance Act
 4 of 1954, as amended, of concessional loans, guarantees
 5 and credit agreements, as authorized under section 572
 6 of the Foreign Operations, Export Financing, and Related
 7 Programs Appropriations Act, 1989 (Public Law 100–
 8 461), and of canceling amounts owed, as a result of loans
 9 or guarantees made pursuant to the Export-Import Bank
 10 Act of 1945, by countries that are eligible for debt reduc-
 11 tion pursuant to title V of H.R. 3425 as enacted into law
 12 by section 1000(a)(5) of Public Law 106–113,
 13 \$20,000,000, to remain available until September 30,
 14 2009: *Provided*, That not less than \$20,000,000 of the
 15 funds appropriated under this heading shall be made avail-
 16 able to carry out the provisions of part V of the Foreign
 17 Assistance Act of 1961: *Provided further*, That amounts
 18 paid to the HIPC Trust Fund may be used only to fund
 19 debt reduction under the enhanced HIPC initiative by—
 20 (1) the Inter-American Development Bank;
 21 (2) the African Development Fund;
 22 (3) the African Development Bank; and
 23 (4) the Central American Bank for Economic
 24 Integration:

1 *Provided further*, That funds may not be paid to the HIPC
2 Trust Fund for the benefit of any country if the Secretary
3 of State has credible evidence that the government of such
4 country is engaged in a consistent pattern of gross viola-
5 tions of internationally recognized human rights or in mili-
6 tary or civil conflict that undermines its ability to develop
7 and implement measures to alleviate poverty and to devote
8 adequate human and financial resources to that end: *Pro-*
9 *vided further*, That on the basis of final appropriations,
10 the Secretary of the Treasury shall consult with the Com-
11 mittees on Appropriations concerning which countries and
12 international financial institutions are expected to benefit
13 from a United States contribution to the HIPC Trust
14 Fund during the fiscal year: *Provided further*, That the
15 Secretary of the Treasury shall inform the Committees on
16 Appropriations not less than 15 days in advance of the
17 signature of an agreement by the United States to make
18 payments to the HIPC Trust Fund of amounts for such
19 countries and institutions: *Provided further*, That the Sec-
20 retary of the Treasury may disburse funds designated for
21 debt reduction through the HIPC Trust Fund only for the
22 benefit of countries that—
23 (1) have committed, for a period of 24 months,
24 not to accept new market-rate loans from the inter-
25 national financial institution receiving debt repay-

1 ment as a result of such disbursement, other than
2 loans made by such institutions to export-oriented
3 commercial projects that generate foreign exchange
4 which are generally referred to as “enclave” loans;
5 and

6 (2) have documented and demonstrated their
7 commitment to redirect their budgetary resources
8 from international debt repayments to programs to
9 alleviate poverty and promote economic growth that
10 are additional to or expand upon those previously
11 available for such purposes:

12 *Provided further*, That any limitation of subsection (e) of
13 section 411 of the Agricultural Trade Development and
14 Assistance Act of 1954 shall not apply to funds appro-
15 priated under this heading: *Provided further*, That none
16 of the funds made available under this heading in this or
17 any other appropriations Act shall be made available for
18 Sudan or Burma unless the Secretary of the Treasury de-
19 termines and notifies the Committees on Appropriations
20 that a democratically elected government has taken office.

21 **TITLE III—MILITARY ASSISTANCE**

22 **FUNDS APPROPRIATED TO THE PRESIDENT**

23 **INTERNATIONAL MILITARY EDUCATION AND TRAINING**

24 For necessary expenses to carry out the provisions
25 of section 541 of the Foreign Assistance Act of 1961,

1 \$88,000,000, of which up to \$3,000,000 may remain
2 available until expended: *Provided*, That the civilian per-
3 sonnel for whom military education and training may be
4 provided under this heading may include civilians who are
5 not members of a government whose participation would
6 contribute to improved civil-military relations, civilian con-
7 trol of the military, or respect for human rights.

8 FOREIGN MILITARY FINANCING PROGRAM

9 (INCLUDING TRANSFER OF FUNDS)

10 For expenses necessary for grants to enable the
11 President to carry out the provisions of section 23 of the
12 Arms Export Control Act, \$4,454,900,000: *Provided*,
13 That of the funds appropriated under this heading, not
14 less than \$2,340,000,000 shall be available for grants only
15 for Israel, and not less than \$1,300,000,000 shall be made
16 available for grants only for Egypt: *Provided further*, That
17 the funds appropriated by this paragraph for Israel shall
18 be disbursed within 30 days of the enactment of this Act:
19 *Provided further*, That to the extent that the Government
20 of Israel requests that funds be used for such purposes,
21 grants made available for Israel by this paragraph shall,
22 as agreed by Israel and the United States, be available
23 for advanced weapons systems, of which not less than
24 \$610,000,000 shall be available for the procurement in
25 Israel of defense articles and defense services, including

1 research and development: *Provided further*, That of the
2 funds appropriated by this paragraph, \$216,000,000 shall
3 be made available for assistance for Jordan: *Provided fur-*
4 *ther*, That funds appropriated or otherwise made available
5 by this paragraph shall be nonrepayable notwithstanding
6 any requirement in section 23 of the Arms Export Control
7 Act: *Provided further*, That funds made available under
8 this paragraph shall be obligated upon apportionment in
9 accordance with paragraph (5)(C) of title 31, United
10 States Code, section 1501(a).

11 None of the funds made available under this heading
12 shall be available to finance the procurement of defense
13 articles, defense services, or design and construction serv-
14 ices that are not sold by the United States Government
15 under the Arms Export Control Act unless the foreign
16 country proposing to make such procurements has first
17 signed an agreement with the United States Government
18 specifying the conditions under which such procurements
19 may be financed with such funds: *Provided*, That all coun-
20 try and funding level increases in allocations shall be sub-
21 mitted through the regular notification procedures of sec-
22 tion 515 of this Act: *Provided further*, That none of the
23 funds appropriated under this heading shall be available
24 for assistance for Sudan and Guatemala: *Provided further*,
25 That none of the funds appropriated under this heading

1 may be made available for assistance for Haiti except pur-
2 suant to the regular notification procedures of the Com-
3 mittees on Appropriations: *Provided further*, That funds
4 made available under this heading may be used, notwith-
5 standing any other provision of law, for demining, the
6 clearance of unexploded ordnance, and related activities,
7 and may include activities implemented through non-
8 governmental and international organizations: *Provided*
9 *further*, That only those countries for which assistance was
10 justified for the “Foreign Military Sales Financing Pro-
11 gram” in the fiscal year 1989 congressional presentation
12 for security assistance programs may utilize funds made
13 available under this heading for procurement of defense
14 articles, defense services or design and construction serv-
15 ices that are not sold by the United States Government
16 under the Arms Export Control Act: *Provided further*,
17 That funds appropriated under this heading shall be ex-
18 pended at the minimum rate necessary to make timely
19 payment for defense articles and services: *Provided fur-*
20 *ther*, That of the funds appropriated under this heading,
21 \$90,000,000 shall be available for Colombia and that with-
22 in these funds, the Department of Defense should ensure
23 sufficient resources are provided for the acquisition of ad-
24 ditional aircraft for the Colombian Navy’s maritime sur-
25 veillance mission: *Provided further*, That not more than

1 \$42,500,000 of the funds appropriated under this heading
2 may be obligated for necessary expenses, including the
3 purchase of passenger motor vehicles for replacement only
4 for use outside of the United States, for the general costs
5 of administering military assistance and sales: *Provided*
6 *further*, That not more than \$359,000,000 of funds real-
7 ized pursuant to section 21(e)(1)(A) of the Arms Export
8 Control Act may be obligated for expenses incurred by the
9 Department of Defense during fiscal year 2007 pursuant
10 to section 43(b) of the Arms Export Control Act, except
11 that this limitation may be exceeded only through the reg-
12 ular notification procedures of the Committees on Appro-
13 priations: *Provided further*, That foreign military financing
14 program funds estimated to be outlayed for Egypt during
15 fiscal year 2007 shall be transferred to an interest bearing
16 account for Egypt in the Federal Reserve Bank of New
17 York within 30 days of enactment of this Act.

18 PEACEKEEPING OPERATIONS

19 For necessary expenses to carry out the provisions
20 of section 551 of the Foreign Assistance Act of 1961,
21 \$170,000,000: *Provided*, That none of the funds appro-
22 priated under this heading shall be obligated or expended
23 except as provided through the regular notification proce-
24 dures of the Committees on Appropriations.

1 TITLE IV—MULTILATERAL ECONOMIC
2 ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 INTERNATIONAL FINANCIAL INSTITUTIONS
5 GLOBAL ENVIRONMENT FACILITY

6 For the United States contribution for the Global En-
7 vironment Facility, \$56,250,000 to the International
8 Bank for Reconstruction and Development as trustee for
9 the Global Environment Facility (GEF), by the Secretary
10 of the Treasury, to remain available until expended.

11 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
12 ASSOCIATION

13 For payment to the International Development Asso-
14 ciation by the Secretary of the Treasury, \$950,000,000,
15 to remain available until expended.

16 CONTRIBUTION TO THE ENTERPRISE FOR THE
17 AMERICAS MULTILATERAL INVESTMENT FUND

18 For payment to the Enterprise for the Americas Mul-
19 tilateral Investment Fund by the Secretary of the Treas-
20 ury, for the United States contribution to the fund,
21 \$23,000,000, to remain available until expended.

22 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

23 For the United States contribution by the Secretary
24 of the Treasury to the increase in resources of the Asian
25 Development Fund, as authorized by the Asian Develop-

1 ment Bank Act, as amended, \$115,250,000, to remain
2 available until expended.

3 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

4 For payment to the African Development Bank by
5 the Secretary of the Treasury, \$5,018,000, for the United
6 States paid-in share of the increase in capital stock, to
7 remain available until expended.

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9 The United States Governor of the African Develop-
10 ment Bank may subscribe without fiscal year limitation
11 for the callable capital portion of the United States share
12 of such capital stock in an amount not to exceed
13 \$78,622,000.

14 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

15 For the United States contribution by the Secretary
16 of the Treasury to the increase in resources of the African
17 Development Fund, \$135,700,000, to remain available
18 until expended.

19 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
20 AGRICULTURAL DEVELOPMENT

21 For the United States contribution by the Secretary
22 of the Treasury to increase the resources of the Inter-
23 national Fund for Agricultural Development,
24 \$18,000,000, to remain available until expended.

1 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

2 For necessary expenses to carry out the provisions
3 of section 301 of the Foreign Assistance Act of 1961,
4 and of section 2 of the United Nations Environment Pro-
5 gram Participation Act of 1973, \$327,570,000: *Provided*,
6 That none of the funds appropriated under this heading
7 may be made available to the International Atomic En-
8 ergy Agency (IAEA): *Provided further*, That section
9 307(a) of the Foreign Assistance Act shall not apply to
10 contributions to the United Nations Democracy Fund.

11 TITLE V—GENERAL PROVISIONS

12 COMPENSATION FOR UNITED STATES EXECUTIVE

13 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

14 SEC. 501. (a) No funds appropriated by this Act may
15 be made as payment to any international financial institu-
16 tion while the United States Executive Director to such
17 institution is compensated by the institution at a rate
18 which, together with whatever compensation such Director
19 receives from the United States, is in excess of the rate
20 provided for an individual occupying a position at level IV
21 of the Executive Schedule under section 5315 of title 5,
22 United States Code, or while any alternate United States
23 Director to such institution is compensated by the institu-
24 tion at a rate in excess of the rate provided for an indi-
25 vidual occupying a position at level V of the Executive

1 Schedule under section 5316 of title 5, United States
2 Code.

3 (b) For purposes of this section “international finan-
4 cial institutions” are: the International Bank for Recon-
5 struction and Development, the Inter-American Develop-
6 ment Bank, the Asian Development Bank, the Asian De-
7 velopment Fund, the African Development Bank, the Afri-
8 can Development Fund, the International Monetary Fund,
9 the North American Development Bank, and the Euro-
10 pean Bank for Reconstruction and Development.

11 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO
12 UNITED NATIONS AGENCIES

13 SEC. 502. None of the funds appropriated by this Act
14 may be made available to pay any voluntary contribution
15 of the United States to the United Nations (including the
16 United Nations Development Program) if the United Na-
17 tions implements or imposes any taxation on any United
18 States persons.

19 LIMITATION ON RESIDENCE EXPENSES

20 SEC. 503. Of the funds appropriated or made avail-
21 able pursuant to this Act, not to exceed \$100,500 shall
22 be for official residence expenses of the United States
23 Agency for International Development during the current
24 fiscal year: *Provided*, That appropriate steps shall be
25 taken to assure that, to the maximum extent possible,

1 United States-owned foreign currencies are utilized in lieu
2 of dollars.

3 UNOBLIGATED BALANCES REPORT

4 SEC. 504. Any Department or Agency to which funds
5 are appropriated or otherwise made available by this Act
6 shall provide to the Committees on Appropriations a quar-
7 terly accounting by program, project, and activity of the
8 funds received by such Department or Agency in this fiscal
9 year or any previous fiscal year that remain unobligated
10 and unexpended.

11 LIMITATION ON REPRESENTATIONAL ALLOWANCES

12 SEC. 505. Of the funds appropriated or made avail-
13 able pursuant to this Act, not to exceed \$250,000 shall
14 be available for representation and entertainment allow-
15 ances, of which not to exceed \$2,500 shall be available
16 for entertainment allowances, for the United States Agen-
17 cy for International Development during the current fiscal
18 year: *Provided*, That no such entertainment funds may be
19 used for the purposes listed in section 548 of this Act:
20 *Provided further*, That appropriate steps shall be taken to
21 assure that, to the maximum extent possible, United
22 States-owned foreign currencies are utilized in lieu of dol-
23 lars: *Provided further*, That of the funds made available
24 by this Act for general costs of administering military as-
25 sistance and sales under the heading “Foreign Military
26 Financing Program”, not to exceed \$4,000 shall be avail-

1 able for entertainment expenses and not to exceed
 2 \$130,000 shall be available for representation allowances:
 3 *Provided further*, That of the funds made available by this
 4 Act under the heading “International Military Education
 5 and Training”, not to exceed \$55,000 shall be available
 6 for entertainment allowances: *Provided further*, That of
 7 the funds made available by this Act for the Inter-Amer-
 8 ican Foundation, not to exceed \$2,000 shall be available
 9 for entertainment and representation allowances: *Provided*
 10 *further*, That of the funds made available by this Act for
 11 the Peace Corps, not to exceed a total of \$4,000 shall be
 12 available for entertainment expenses: *Provided further*,
 13 That of the funds made available by this Act under the
 14 heading “Trade and Development Agency”, not to exceed
 15 \$4,000 shall be available for representation and entertain-
 16 ment allowances: *Provided further*, That of the funds made
 17 available by this Act under the heading “Millennium Chal-
 18 lenge Corporation”, not to exceed \$115,000 shall be avail-
 19 able for representation and entertainment allowances.

20 PROHIBITION ON TAXATION OF UNITED STATES

21 ASSISTANCE

22 SEC. 506. (a) PROHIBITION ON TAXATION.—None of
 23 the funds appropriated by this Act may be made available
 24 to provide assistance for a foreign country under a new
 25 bilateral agreement governing the terms and conditions
 26 under which such assistance is to be provided unless such

1 agreement includes a provision stating that assistance pro-
2 vided by the United States shall be exempt from taxation,
3 or reimbursed, by the foreign government, and the Sec-
4 retary of State shall expeditiously seek to negotiate
5 amendments to existing bilateral agreements, as nec-
6 essary, to conform with this requirement.

7 (b) REIMBURSEMENT OF FOREIGN TAXES.—An
8 amount equivalent to 200 percent of the total taxes as-
9 sessed during fiscal year 2007 on funds appropriated by
10 this Act by a foreign government or entity against com-
11 modities financed under United States assistance pro-
12 grams for which funds are appropriated by this Act, either
13 directly or through grantees, contractors and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2008 and allocated for the central government of such country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been
20 reimbursed to the Government of the United States.

21 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de
22 minimis nature shall not be subject to the provisions of
23 subsection (b).

24 (d) REPROGRAMMING OF FUNDS.—Funds withheld
25 from obligation for each country or entity pursuant to sub-

1 section (b) shall be reprogrammed for assistance to coun-
2 tries which do not assess taxes on United States assistance
3 or which have an effective arrangement that is providing
4 substantial reimbursement of such taxes.

5 (e) DETERMINATIONS.—

6 (1) The provisions of this section shall not
7 apply to any country or entity the Secretary of State
8 determines—

9 (A) does not assess taxes on United States
10 assistance or which has an effective arrange-
11 ment that is providing substantial reimburse-
12 ment of such taxes; or

13 (B) the foreign policy interests of the
14 United States outweigh the policy of this sec-
15 tion to ensure that United States assistance is
16 not subject to taxation.

17 (2) The Secretary of State shall consult with
18 the Committees on Appropriations at least 15 days
19 prior to exercising the authority of this subsection
20 with regard to any country or entity.

21 (f) IMPLEMENTATION.—The Secretary of State shall
22 issue rules, regulations, or policy guidance, as appropriate,
23 to implement the prohibition against the taxation of assist-
24 ance contained in this section.

25 (g) DEFINITIONS.—As used in this section—

(2) the term “bilateral agreement” refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

17 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
18 COUNTRIES

19 SEC. 507. None of the funds appropriated or other-
20 wise made available pursuant to this Act shall be obligated
21 or expended to finance directly any assistance or repara-
22 tions to Cuba, Libya, North Korea, Iran, or Syria: *Pro-*
23 *vided*, That for purposes of this section, the prohibition
24 on obligations or expenditures shall include direct loans,
25 credits, insurance and guarantees of the Export-Import
26 Bank or its agents: *Provided further*, That for purposes

1 of this section, the prohibition shall not include activities
2 of the Overseas Private Investment Corporation in Libya:
3 *Provided further*, That the prohibition shall not include di-
4 rect loans, credits, insurance and guarantees made avail-
5 able by the Export-Import Bank or its agents for or in
6 Libya.

7 MILITARY COUPS

8 SEC. 508. None of the funds appropriated or other-
9 wise made available pursuant to this Act shall be obligated
10 or expended to finance directly any assistance to the gov-
11 ernment of any country whose duly elected head of govern-
12 ment is deposed by military coup or decree: *Provided*, That
13 assistance may be resumed to such government if the
14 President determines and certifies to the Committees on
15 Appropriations that subsequent to the termination of as-
16 sistance a democratically elected government has taken of-
17 fice: *Provided further*, That the provisions of this section
18 shall not apply to assistance to promote democratic elec-
19 tions or public participation in democratic processes: *Pro-*
20 *vided further*, That funds made available pursuant to the
21 previous provisos shall be subject to the regular notifica-
22 tion procedures of the Committees on Appropriations.

23 TRANSFERS

24 SEC. 509. (a)(1) LIMITATION ON TRANSFERS BE-
25 TWEEN AGENCIES.—None of the funds made available by
26 this Act may be transferred to any department, agency,

1 or instrumentality of the United States Government, ex-
2 cept pursuant to a transfer made by, or transfer authority
3 provided in, this Act or any other appropriation Act.

4 (2) Notwithstanding paragraph (1), in addition to
5 transfers made by, or authorized elsewhere in, this Act,
6 funds appropriated by this Act to carry out the purposes
7 of the Foreign Assistance Act of 1961 may be allocated
8 or transferred to agencies of the United States Govern-
9 ment pursuant to the provisions of sections 109, 610, and
10 632 of the Foreign Assistance Act of 1961.

11 (b) TRANSFERS BETWEEN ACCOUNTS.—None of the
12 funds made available by this Act may be obligated under
13 an appropriation account to which they were not appro-
14 priated, except for transfers specifically provided for in
15 this Act, unless the President, not less than 5 days prior
16 to the exercise of any authority contained in the Foreign
17 Assistance Act of 1961 to transfer funds, consults with
18 and provides a written policy justification to the Commit-
19 tees on Appropriations of the House of Representatives
20 and the Senate.

21 (c) AUDIT OF INTER-AGENCY TRANSFERS.—Any
22 agreement for the transfer or allocation of funds appro-
23 priated by this Act, or prior Acts, entered into between
24 the United States Agency for International Development
25 and another agency of the United States Government

1 under the authority of section 632(a) of the Foreign As-
2 sistance Act of 1961 or any comparable provision of law,
3 shall expressly provide that the Office of the Inspector
4 General for the agency receiving the transfer or allocation
5 of such funds shall perform periodic program and financial
6 audits of the use of such funds: *Provided*, That funds
7 transferred under such authority may be made available
8 for the cost of such audits.

9 COMMERCIAL LEASING OF DEFENSE ARTICLES

10 SEC. 510. Notwithstanding any other provision of
11 law, and subject to the regular notification procedures of
12 the Committees on Appropriations, the authority of sec-
13 tion 23(a) of the Arms Export Control Act may be used
14 to provide financing to Israel, Egypt and NATO and
15 major non-NATO allies for the procurement by leasing
16 (including leasing with an option to purchase) of defense
17 articles from United States commercial suppliers, not in-
18 cluding Major Defense Equipment (other than helicopters
19 and other types of aircraft having possible civilian applica-
20 tion), if the President determines that there are compel-
21 ling foreign policy or national security reasons for those
22 defense articles being provided by commercial lease rather
23 than by government-to-government sale under such Act.

24 AVAILABILITY OF FUNDS

25 SEC. 511. No part of any appropriation contained in
26 this Act shall remain available for obligation after the ex-

1 piration of the current fiscal year unless expressly so pro-
2 vided in this Act: *Provided*, That funds appropriated for
3 the purposes of chapters 1, 8, 11, and 12 of part I, section
4 667, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
5 Assistance Act of 1961, section 23 of the Arms Export
6 Control Act, and funds provided under the heading “As-
7 sistance for Eastern Europe and the Baltic States”, shall
8 remain available for an additional 4 years from the date
9 on which the availability of such funds would otherwise
10 have expired, if such funds are initially obligated before
11 the expiration of their respective periods of availability
12 contained in this Act: *Provided further*, That, notwith-
13 standing any other provision of this Act, any funds made
14 available for the purposes of chapter 1 of part I and chap-
15 ter 4 of part II of the Foreign Assistance Act of 1961
16 which are allocated or obligated for cash disbursements
17 in order to address balance of payments or economic policy
18 reform objectives, shall remain available until expended.

19 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

20 SEC. 512. No part of any appropriation contained in
21 this Act shall be used to furnish assistance to the govern-
22 ment of any country which is in default during a period
23 in excess of 1 calendar year in payment to the United
24 States of principal or interest on any loan made to the
25 government of such country by the United States pursuant
26 to a program for which funds are appropriated under this

1 Act unless the President determines, following consulta-
2 tions with the Committees on Appropriations, that assist-
3 ance to such country is in the national interest of the
4 United States.

5 COMMERCE AND TRADE

6 SEC. 513. (a) None of the funds appropriated or
7 made available pursuant to this Act for direct assistance
8 and none of the funds otherwise made available pursuant
9 to this Act to the Export-Import Bank and the Overseas
10 Private Investment Corporation shall be obligated or ex-
11 pended to finance any loan, any assistance or any other
12 financial commitments for establishing or expanding pro-
13 duction of any commodity for export by any country other
14 than the United States, if the commodity is likely to be
15 in surplus on world markets at the time the resulting pro-
16 ductive capacity is expected to become operative and if the
17 assistance will cause substantial injury to United States
18 producers of the same, similar, or competing commodity:
19 *Provided*, That such prohibition shall not apply to the Ex-
20 port-Import Bank if in the judgment of its Board of Direc-
21 tors the benefits to industry and employment in the
22 United States are likely to outweigh the injury to United
23 States producers of the same, similar, or competing com-
24 modity, and the Chairman of the Board so notifies the
25 Committees on Appropriations.

1 (b) None of the funds appropriated by this or any
2 other Act to carry out chapter 1 of part I of the Foreign
3 Assistance Act of 1961 shall be available for any testing
4 or breeding feasibility study, variety improvement or intro-
5 duction, consultancy, publication, conference, or training
6 in connection with the growth or production in a foreign
7 country of an agricultural commodity for export which
8 would compete with a similar commodity grown or pro-
9 duced in the United States: *Provided*, That this subsection
10 shall not prohibit—

11 (1) activities designed to increase food security
12 in developing countries where such activities will not
13 have a significant impact on the export of agricul-
14 tural commodities of the United States; or

15 (2) research activities intended primarily to
16 benefit American producers.

17 SURPLUS COMMODITIES

18 SEC. 514. The Secretary of the Treasury shall in-
19 struct the United States Executive Directors of the Inter-
20 national Bank for Reconstruction and Development, the
21 International Development Association, the International
22 Finance Corporation, the Inter-American Development
23 Bank, the International Monetary Fund, the Asian Devel-
24 opment Bank, the Inter-American Investment Corpora-
25 tion, the North American Development Bank, the Euro-
26 pean Bank for Reconstruction and Development, the Afri-

1 can Development Bank, and the African Development
2 Fund to use the voice and vote of the United States to
3 oppose any assistance by these institutions, using funds
4 appropriated or made available pursuant to this Act, for
5 the production or extraction of any commodity or mineral
6 for export, if it is in surplus on world markets and if the
7 assistance will cause substantial injury to United States
8 producers of the same, similar, or competing commodity.

9 REPROGRAMMING NOTIFICATIONS AND TRANSFER

10 GUIDELINES

11 SEC. 515. (a) None of the funds made available in
12 this Act or in prior Acts making appropriations for foreign
13 operations, export financing, and related programs, from
14 any accounts in the Treasury of the United States derived
15 by the collection of currency reflows or other offsetting
16 collections, or made available by transfer, may be used to
17 finance an activity, program, or project specifically denied
18 funding by Congress in this Act.

19 (b) None of the funds made available in this Act or
20 in prior Acts making appropriations for foreign oper-
21 ations, export financing, and related programs, from any
22 accounts in the Treasury of the United States derived by
23 the collection of currency reflows or other offsetting collec-
24 tions, or made available by transfer, may be used to ini-
25 tiate a new or terminate an existing activity, program, or

1 project not previously justified without prior notification
2 of the Committees on Appropriations.

3 (c) For the purposes of providing the executive
4 branch with the necessary administrative flexibility, none
5 of the funds made available under this Act for “Child Sur-
6 vival and Health Programs Fund”, “Development Assist-
7 ance”, “International Organizations and Programs”,
8 “Trade and Development Agency”, “International Nar-
9 cotics Control and Law Enforcement”, “Andean
10 Counterdrug Initiative”, “Assistance for Eastern Europe
11 and the Baltic States”, “Assistance for the Independent
12 States of the Former Soviet Union”, “Economic Support
13 Fund”, “Global HIV/AIDS Initiative”, “Peacekeeping
14 Operations”, “Capital Investment Fund”, “Operating Ex-
15 penses of the United States Agency for International De-
16 velopment”, “Operating Expenses of the United States
17 Agency for International Development Office of Inspector
18 General”, “Nonproliferation, Anti-terrorism, Demining
19 and Related Programs”, “Millennium Challenge Corpora-
20 tion” (by country only), “Foreign Military Financing Pro-
21 gram”, “International Military Education and Training”,
22 “Peace Corps”, and “Migration and Refugee Assistance”,
23 shall be available for obligation for activities, programs,
24 projects, type of materiel assistance, countries, or other
25 operations not justified or in excess of the amount justi-

1 fied to the Committees on Appropriations for obligation
2 under any of these specific headings unless the Commit-
3 tees on Appropriations of both Houses of Congress are
4 notified 15 days in advance: *Provided*, That the President
5 shall not enter into any commitment of funds appropriated
6 for the purposes of section 23 of the Arms Export Control
7 Act for the provision of major defense equipment, other
8 than conventional ammunition, or other major defense
9 items defined to be aircraft, ships, missiles, or combat ve-
10 hicles, not previously justified to Congress or 20 percent
11 in excess of the quantities justified to Congress unless the
12 Committees on Appropriations are notified 15 days in ad-
13 vance of such commitment: *Provided further*, That this
14 paragraph shall not apply to any reprogramming for an
15 activity, program, or project for which funds are appro-
16 priated under title II or title III of this Act of less than
17 10 percent of the amount previously justified to the Con-
18 gress for obligation for such activity, program, or project
19 for the current fiscal year.

20 (d) The requirements of this section or any similar
21 provision of this Act or any other Act, including any prior
22 Act requiring notification in accordance with the regular
23 notification procedures of the Committees on Appropria-
24 tions, may be waived if failure to do so would pose a sub-
25 stantial risk to human health or welfare: *Provided*, That

1 in case of any such waiver, notification to the Congress,
2 or the appropriate congressional committees, shall be pro-
3 vided as early as practicable, but in no event later than
4 3 days after taking the action to which such notification
5 requirement was applicable, in the context of the cir-
6 cumstances necessitating such waiver: *Provided further*,
7 That any notification provided pursuant to such a waiver
8 shall contain an explanation of the emergency cir-
9 cumstances.

10 LIMITATION ON AVAILABILITY OF FUNDS FOR

11 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

12 SEC. 516. Subject to the regular notification proce-
13 dures of the Committees on Appropriations, funds appro-
14 priated under this Act or any previously enacted Act mak-
15 ing appropriations for foreign operations, export financ-
16 ing, and related programs, which are returned or not made
17 available for organizations and programs because of the
18 implementation of section 307(a) of the Foreign Assist-
19 ance Act of 1961, shall remain available for obligation
20 until September 30, 2008.

21 INDEPENDENT STATES OF THE FORMER SOVIET UNION

22 SEC. 517. (a) None of the funds appropriated under
23 the heading “Assistance for the Independent States of the
24 Former Soviet Union” shall be made available for assist-
25 ance for a government of an Independent State of the
26 former Soviet Union if that government directs any action

1 in violation of the territorial integrity or national sov-
2 ereignty of any other Independent State of the former So-
3 viet Union, such as those violations included in the Hel-
4 sinki Final Act: *Provided*, That such funds may be made
5 available without regard to the restriction in this sub-
6 section if the President determines that to do so is in the
7 national security interest of the United States.

8 (b) None of the funds appropriated under the heading
9 “Assistance for the Independent States of the Former So-
10 viet Union” shall be made available for any state to en-
11 hance its military capability: *Provided*, That this restric-
12 tion does not apply to demilitarization, demining or non-
13 proliferation programs.

14 (c) Funds appropriated under the heading “Assist-
15 ance for the Independent States of the Former Soviet
16 Union” for the Russian Federation, Armenia, and
17 Uzbekistan shall be subject to the regular notification pro-
18 cedures of the Committees on Appropriations.

19 (d) Funds made available in this Act for assistance
20 for the Independent States of the former Soviet Union
21 shall be subject to the provisions of section 117 (relating
22 to environment and natural resources) of the Foreign As-
23 sistance Act of 1961.

24 (e) In issuing new task orders, entering into con-
25 tracts, or making grants, with funds appropriated in this

1 Act or prior appropriations Acts under the heading “As-
2 sistance for the Independent States of the Former Soviet
3 Union” and under comparable headings in prior appro-
4 priations Acts, for projects or activities that have as one
5 of their primary purposes the fostering of private sector
6 development, the Coordinator for United States Assistance
7 to Europe and Eurasia and the implementing agency shall
8 encourage the participation of and give significant weight
9 to contractors and grantees who propose investing a sig-
10 nificant amount of their own resources (including volun-
11 teer services and in-kind contributions) in such projects
12 and activities.

13 PROHIBITION ON FUNDING FOR ABORTIONS AND
14 INVOLUNTARY STERILIZATION

15 SEC. 518. None of the funds made available to carry
16 out part I of the Foreign Assistance Act of 1961, as
17 amended, may be used to pay for the performance of abor-
18 tions as a method of family planning or to motivate or
19 coerce any person to practice abortions. None of the funds
20 made available to carry out part I of the Foreign Assist-
21 ance Act of 1961, as amended, may be used to pay for
22 the performance of involuntary sterilization as a method
23 of family planning or to coerce or provide any financial
24 incentive to any person to undergo sterilizations. None of
25 the funds made available to carry out part I of the Foreign
26 Assistance Act of 1961, as amended, may be used to pay

1 for any biomedical research which relates in whole or in
2 part, to methods of, or the performance of, abortions or
3 involuntary sterilization as a means of family planning.
4 None of the funds made available to carry out part I of
5 the Foreign Assistance Act of 1961, as amended, may be
6 obligated or expended for any country or organization if
7 the President certifies that the use of these funds by any
8 such country or organization would violate any of the
9 above provisions related to abortions and involuntary steri-
10 lizations.

11 EXPORT FINANCING TRANSFER AUTHORITIES

12 SEC. 519. Not to exceed 5 percent of any appropria-
13 tion other than for administrative expenses made available
14 for fiscal year 2007, for programs under title I of this
15 Act may be transferred between such appropriations for
16 use for any of the purposes, programs, and activities for
17 which the funds in such receiving account may be used,
18 but no such appropriation, except as otherwise specifically
19 provided, shall be increased by more than 25 percent by
20 any such transfer: *Provided*, That the exercise of such au-
21 thority shall be subject to the regular notification proce-
22 dures of the Committees on Appropriations.

23 SPECIAL NOTIFICATION REQUIREMENTS

24 SEC. 520. None of the funds appropriated by this Act
25 shall be obligated or expended for assistance for Liberia,
26 Serbia, Sudan, Zimbabwe, Pakistan, or Cambodia except

1 as provided through the regular notification procedures of
2 the Committees on Appropriations.

3 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

4 SEC. 521. For the purpose of this Act “program,
5 project, and activity” shall be defined at the appropria-
6 tions Act account level and shall include all appropriations
7 and authorizations Acts earmarks, ceilings, and limita-
8 tions with the exception that for the following accounts:
9 Economic Support Fund and Foreign Military Financing
10 Program, “program, project, and activity” shall also be
11 considered to include country, regional, and central pro-
12 gram level funding within each such account; for the devel-
13 opment assistance accounts of the United States Agency
14 for International Development “program, project, and ac-
15 tivity” shall also be considered to include central, country,
16 regional, and program level funding, either as: (1) justified
17 to the Congress; or (2) allocated by the executive branch
18 in accordance with a report, to be provided to the Commit-
19 tees on Appropriations within 30 days of the enactment
20 of this Act, as required by section 653(a) of the Foreign
21 Assistance Act of 1961.

22 CHILD SURVIVAL AND HEALTH ACTIVITIES

23 SEC. 522. Up to \$13,500,000 of the funds made
24 available by this Act for assistance under the heading
25 “Child Survival and Health Programs Fund”, may be
26 used to reimburse United States Government agencies,

1 agencies of State governments, institutions of higher
2 learning, and private and voluntary organizations for the
3 full cost of individuals (including for the personal services
4 of such individuals) detailed or assigned to, or contracted
5 by, as the case may be, the United States Agency for
6 International Development for the purpose of carrying out
7 activities under that heading: *Provided*, That up to
8 \$3,500,000 of the funds made available by this Act for
9 assistance under the heading “Development Assistance”
10 may be used to reimburse such agencies, institutions, and
11 organizations for such costs of such individuals carrying
12 out other development assistance activities: *Provided fur-*
13 *ther*, That funds appropriated by titles II and III of this
14 Act that are made available for assistance for child sur-
15 vival activities or disease programs including activities re-
16 lating to research on, and the prevention, treatment and
17 control of, HIV/AIDS may be made available notwith-
18 standing any other provision of law except for the provi-
19 sions under the heading “Child Survival and Health Pro-
20 grams Fund” and the United States Leadership Against
21 HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117
22 Stat. 711; 22 U.S.C. 7601 et seq.), as amended.

23 AFGHANISTAN

24 SEC. 523. Of the funds appropriated by titles II and
25 III of this Act, not less than \$931,400,000 should be made
26 available for humanitarian, reconstruction, and related as-

1 sistance for Afghanistan: *Provided*, That of the funds
2 made available pursuant to this section, \$3,000,000
3 should be made available for reforestation activities: *Pro-*
4 *vided further*, That funds made available pursuant to the
5 previous proviso should be matched, to the maximum ex-
6 tent possible, with contributions from American and Af-
7 ghan businesses: *Provided further*, That of the funds allo-
8 cated for assistance for Afghanistan from this Act and
9 other Acts making appropriations for foreign operations,
10 export financing, and related programs for fiscal year
11 2007, not less than \$50,000,000 should be made available
12 to support programs that directly address the needs of Af-
13 ghan women and girls.

14 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

15 SEC. 524. Prior to providing excess Department of
16 Defense articles in accordance with section 516(a) of the
17 Foreign Assistance Act of 1961, the Department of De-
18 fense shall notify the Committees on Appropriations to the
19 same extent and under the same conditions as are other
20 committees pursuant to subsection (f) of that section: *Pro-*
21 *vided*, That before issuing a letter of offer to sell excess
22 defense articles under the Arms Export Control Act, the
23 Department of Defense shall notify the Committees on
24 Appropriations in accordance with the regular notification
25 procedures of such Committees if such defense articles are
26 significant military equipment (as defined in section 47(9))

1 of the Arms Export Control Act) or are valued (in terms
2 of original acquisition cost) at \$7,000,000 or more, or if
3 notification is required elsewhere in this Act for the use
4 of appropriated funds for specific countries that would re-
5 ceive such excess defense articles: *Provided further*, That
6 such Committees shall also be informed of the original ac-
7 quisition cost of such defense articles.

8 GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS, AND
9 MALARIA

10 SEC. 525. (a) Notwithstanding any other provision
11 of this Act, 25 percent of the funds that are appropriated
12 by this Act for a contribution to support the Global Fund
13 to Fight AIDS, Tuberculosis and Malaria (the “Global
14 Fund”) shall be withheld from obligation to the Global
15 Fund until the Secretary of State certifies to the Commit-
16 tees on Appropriations that the Global Fund—

17 (1) has clear progress indicators upon which to
18 determine the release of incremental disbursements;

19 (2) is releasing such incremental disbursements
20 only if progress is being made based on those indica-
21 tors; and

22 (3) is providing support and oversight to coun-
23 try-level entities, such as country coordinating mech-
24 anisms, principal recipients, and local Fund agents,
25 to enable them to fulfill their mandates.

1 (b) The Secretary of State may waive subsection (a)
2 if the Secretary determines and reports to the Committees
3 on Appropriations that such waiver is important to the
4 national interest of the United States.

5 HUMAN RIGHTS AND DEMOCRACY

6 SEC. 526. (a) Not less than \$27,000,000 of the funds
7 appropriated by this Act under the heading “Economic
8 Support Fund” should be allocated for the Human Rights
9 and Democracy Fund: *Provided*, That up to \$1,200,000
10 of such funds may be used for the Reagan/Fascell Democ-
11 racy Fellows program.

12 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
13 COUNTRIES

14 SEC. 527. (a) Funds appropriated for bilateral assist-
15 ance under any heading of this Act and funds appro-
16 priated under any such heading in a provision of law en-
17 acted prior to the enactment of this Act, shall not be made
18 available to any country which the President determines—

19 (1) grants sanctuary from prosecution to any
20 individual or group which has committed an act of
21 international terrorism; or

22 (2) otherwise supports international terrorism.

23 (b) The President may waive the application of sub-
24 section (a) to a country if the President determines that
25 national security or humanitarian reasons justify such
26 waiver. The President shall publish each waiver in the

1 Federal Register and, at least 15 days before the waiver
 2 takes effect, shall notify the Committees on Appropria-
 3 tions of the waiver (including the justification for the waiv-
 4 er) in accordance with the regular notification procedures
 5 of the Committees on Appropriations.

6 DEBT-FOR-DEVELOPMENT

7 SEC. 528. In order to enhance the continued partici-
 8 pation of nongovernmental organizations in debt-for-devel-
 9 opment and debt-for-nature exchanges, a nongovern-
 10 mental organization which is a grantee or contractor of
 11 the United States Agency for International Development
 12 may place in interest bearing accounts local currencies
 13 which accrue to that organization as a result of economic
 14 assistance provided under title II of this Act and, subject
 15 to the regular notification procedures of the Committees
 16 on Appropriations, any interest earned on such investment
 17 shall be used for the purpose for which the assistance was
 18 provided to that organization.

19 SEPARATE ACCOUNTS

20 SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL
 21 CURRENCIES.—

22 (1) If assistance is furnished to the government
 23 of a foreign country under chapters 1 and 10 of part
 24 I or chapter 4 of part II of the Foreign Assistance
 25 Act of 1961 under agreements which result in the
 26 generation of local currencies of that country, the

1 Administrator of the United States Agency for
2 International Development shall—

3 (A) require that local currencies be depos-
4 ited in a separate account established by that
5 government;

6 (B) enter into an agreement with that gov-
7 ernment which sets forth—

8 (i) the amount of the local currencies
9 to be generated; and

10 (ii) the terms and conditions under
11 which the currencies so deposited may be
12 utilized, consistent with this section; and

13 (C) establish by agreement with that gov-
14 ernment the responsibilities of the United
15 States Agency for International Development
16 and that government to monitor and account
17 for deposits into and disbursements from the
18 separate account.

19 (2) USES OF LOCAL CURRENCIES.—As may be
20 agreed upon with the foreign government, local cur-
21 rencies deposited in a separate account pursuant to
22 subsection (a), or an equivalent amount of local cur-
23 rencies, shall be used only—

1 (A) to carry out chapter 1 or 10 of part
2 I or chapter 4 of part II (as the case may be),
3 for such purposes as—

4 (i) project and sector assistance activi-
5 ties; or

6 (ii) debt and deficit financing; or

7 (B) for the administrative requirements of
8 the United States Government.

9 (3) PROGRAMMING ACCOUNTABILITY.—The
10 United States Agency for International Development
11 shall take all necessary steps to ensure that the
12 equivalent of the local currencies disbursed pursuant
13 to subsection (a)(2)(A) from the separate account
14 established pursuant to subsection (a)(1) are used
15 for the purposes agreed upon pursuant to subsection
16 (a)(2).

17 (4) TERMINATION OF ASSISTANCE PRO-
18 GRAMS.—Upon termination of assistance to a coun-
19 try under chapter 1 or 10 of part I or chapter 4 of
20 part II (as the case may be), any unencumbered bal-
21 ances of funds which remain in a separate account
22 established pursuant to subsection (a) shall be dis-
23 posed of for such purposes as may be agreed to by
24 the government of that country and the United
25 States Government.

1 (5) REPORTING REQUIREMENT.—The Adminis-
2 trator of the United States Agency for International
3 Development shall report on an annual basis as part
4 of the justification documents submitted to the Com-
5 mittees on Appropriations on the use of local cur-
6 rencies for the administrative requirements of the
7 United States Government as authorized in sub-
8 section (a)(2)(B), and such report shall include the
9 amount of local currency (and United States dollar
10 equivalent) used and/or to be used for such purpose
11 in each applicable country.

12 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

13 (1) If assistance is made available to the gov-
14 ernment of a foreign country, under chapter 1 or 10
15 of part I or chapter 4 of part II of the Foreign As-
16 sistance Act of 1961, as cash transfer assistance or
17 as nonproject sector assistance, that country shall be
18 required to maintain such funds in a separate ac-
19 count and not commingle them with any other
20 funds.

21 (2) APPLICABILITY OF OTHER PROVISIONS OF
22 LAW.—Such funds may be obligated and expended
23 notwithstanding provisions of law which are incon-
24 sistent with the nature of this assistance including
25 provisions which are referenced in the Joint Explan-

1 atory Statement of the Committee of Conference ac-
2 companying House Joint Resolution 648 (House Re-
3 port No. 98–1159).

4 (3) NOTIFICATION.—At least 15 days prior to
5 obligating any such cash transfer or nonproject sec-
6 tor assistance, the President shall submit a notifica-
7 tion through the regular notification procedures of
8 the Committees on Appropriations, which shall in-
9 clude a detailed description of how the funds pro-
10 posed to be made available will be used, with a dis-
11 cussion of the United States interests that will be
12 served by the assistance (including, as appropriate,
13 a description of the economic policy reforms that will
14 be promoted by such assistance).

15 (4) EXEMPTION.—Nonproject sector assistance
16 funds may be exempt from the requirements of sub-
17 section (b)(1) only through the notification proce-
18 dures of the Committees on Appropriations.

19 ENTERPRISE FUND RESTRICTIONS

20 SEC. 530. (a) Prior to the distribution of any assets
21 resulting from any liquidation, dissolution, or winding up
22 of an Enterprise Fund, in whole or in part, the President
23 shall submit to the Committees on Appropriations, in ac-
24 cordance with the regular notification procedures of the
25 Committees on Appropriations, a plan for the distribution
26 of the assets of the Enterprise Fund.

1 (b) Funds made available by this Act for Enterprise
2 Funds shall be expended at the minimum rate necessary
3 to make timely payment for projects and activities.

4 FINANCIAL MARKET ASSISTANCE IN TRANSITION
5 COUNTRIES

6 SEC. 531. Of the funds appropriated in Title II of
7 this Act, not less than \$40,000,000 should be made avail-
8 able for building capital markets and financial systems in
9 countries in transistion, of which not less than
10 \$20,000,000 should be designated for not-for-profit orga-
11 nizations that mobilize volunteers with experience in the
12 financial sector.

13 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
14 FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

15 SEC. 532. Unless expressly provided to the contrary,
16 provisions of this or any other Act, including provisions
17 contained in prior Acts authorizing or making appropria-
18 tions for foreign operations, export financing, and related
19 programs, shall not be construed to prohibit activities au-
20 thorized by or conducted under the Peace Corps Act, the
21 Inter-American Foundation Act or the African Develop-
22 ment Foundation Act. The agency shall promptly report
23 to the Committees on Appropriations whenever it is con-
24 ducting activities or is proposing to conduct activities in
25 a country for which assistance is prohibited.

1 IMPACT ON JOBS IN THE UNITED STATES

2 SEC. 533. None of the funds appropriated by this Act
3 may be obligated or expended to provide—

4 (1) any financial incentive to a business enter-
5 prise currently located in the United States for the
6 purpose of inducing such an enterprise to relocate
7 outside the United States if such incentive or in-
8 ducement is likely to reduce the number of employ-
9 ees of such business enterprise in the United States
10 because United States production is being replaced
11 by such enterprise outside the United States; or

12 (2) assistance for any program, project, or ac-
13 tivity that contributes to the violation of internation-
14 ally recognized workers rights, as defined in section
15 507(4) of the Trade Act of 1974, of workers in the
16 recipient country, including any designated zone or
17 area in that country: *Provided*, That the application
18 of section 507(4)(D) and (E) of such Act should be
19 commensurate with the level of development of the
20 recipient country and sector, and shall not preclude
21 assistance for the informal sector in such country,
22 micro and small-scale enterprise, and smallholder
23 agriculture.

24 SPECIAL AUTHORITIES

25 SEC. 534. (a) AFGHANISTAN, IRAQ, PAKISTAN, LEB-
26 ANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED

1 CHILDREN, AND DISPLACED BURMESE.—Funds appro-
2 priated by this Act that are made available for assistance
3 for Afghanistan may be made available notwithstanding
4 section 512 of this Act or any similar provision of law and
5 section 660 of the Foreign Assistance Act of 1961, and
6 funds appropriated in titles I and II of this Act that are
7 made available for Iraq, Lebanon, Montenegro, Pakistan,
8 and for victims of war, displaced children, and displaced
9 Burmese, and to assist victims of trafficking in persons
10 and, subject to the regular notification procedures of the
11 Committees on Appropriations, to combat such traf-
12 ficking, may be made available notwithstanding any other
13 provision of law.

14 (b) TROPICAL FORESTRY AND BIODIVERSITY CON-
15 SERVATION ACTIVITIES.—Funds appropriated by this Act
16 to carry out the provisions of sections 103 through 106,
17 and chapter 4 of part II, of the Foreign Assistance Act
18 of 1961 may be used, notwithstanding any other provision
19 of law, for the purpose of supporting tropical forestry and
20 biodiversity conservation activities and energy programs
21 aimed at reducing greenhouse gas emissions: *Provided*,
22 That such assistance shall be subject to sections 116,
23 502B, and 620A of the Foreign Assistance Act of 1961.

24 (c) PERSONAL SERVICES CONTRACTORS.—Funds ap-
25 propriated by this Act to carry out chapter 1 of part I,

1 chapter 4 of part II, and section 667 of the Foreign As-
2 sistance Act of 1961, and title II of the Agricultural Trade
3 Development and Assistance Act of 1954, may be used
4 by the United States Agency for International Develop-
5 ment to employ up to 25 personal services contractors in
6 the United States, notwithstanding any other provision of
7 law, for the purpose of providing direct, interim support
8 for new or expanded overseas programs and activities
9 managed by the agency until permanent direct hire per-
10 sonnel are hired and trained: *Provided*, That not more
11 than 10 of such contractors shall be assigned to any bu-
12 reau or office: *Provided further*, That such funds appro-
13 priated to carry out title II of the Agricultural Trade De-
14 velopment and Assistance Act of 1954, may be made avail-
15 able only for personal services contractors assigned to the
16 Office of Food for Peace.

17 (d)(1) WAIVER.—The President may waive the provi-
18 sions of section 1003 of Public Law 100–204 if the Presi-
19 dent determines and certifies in writing to the Speaker
20 of the House of Representatives and the President pro
21 tempore of the Senate that it is important to the national
22 security interests of the United States.

23 (2) PERIOD OF APPLICATION OF WAIVER.—Any
24 waiver pursuant to paragraph (1) shall be effective for no

1 more than a period of 6 months at a time and shall not
2 apply beyond 12 months after the enactment of this Act.

3 (e) SMALL BUSINESS.—In entering into multiple
4 award indefinite-quantity contracts with funds appro-
5 priated by this Act, the United States Agency for Inter-
6 national Development may provide an exception to the fair
7 opportunity process for placing task orders under such
8 contracts when the order is placed with any category of
9 small or small disadvantaged business.

10 (f) RECONSTITUTING CIVILIAN POLICE AUTHOR-
11 ITY.—In providing assistance with funds appropriated by
12 this Act under section 660(b)(6) of the Foreign Assistance
13 Act of 1961, support for a nation emerging from insta-
14 bility may be deemed to mean support for regional, dis-
15 trict, municipal, or other sub-national entity emerging
16 from instability, as well as a nation emerging from insta-
17 bility.

18 (g) WORLD FOOD PROGRAM.—Of the funds managed
19 by the Bureau for Democracy, Conflict, and Humanitarian
20 Assistance of the United States Agency for International
21 Development, from this or any other Act, not less than
22 \$10,000,000 shall be made available as a general contribu-
23 tion to the World Food Program, notwithstanding any
24 other provision of law.

1 (h) UNIFIED CAMPAIGN.—Funds transferred pursu-
2 ant to the authority contained in the fifth proviso under
3 the heading “Foreign Military Financing Program” in di-
4 vision E of Public Law 108–7 may be made available for
5 helicopters, training, and other assistance for the Colom-
6 bian Armed Forces for such things as pipeline security
7 and interdiction, notwithstanding the limitation to security
8 for the Cano Limon pipeline in such proviso.

9 (i) EXTENSION OF AUTHORITY.—

10 (1) With respect to funds appropriated by this
11 Act that are available for assistance for Pakistan,
12 the President may waive the prohibition on assist-
13 ance contained in section 508 of this Act subject to
14 the requirements contained in section 1(b) of Public
15 Law 107–57, as amended, for a determination and
16 certification, and consultation, by the President
17 prior to the exercise of such waiver authority.

18 (2) Section 512 of this Act and section 620(q)
19 of the Foreign Assistance Act of 1961 shall not
20 apply with respect to assistance for Pakistan from
21 funds appropriated by this Act.

22 (3) Notwithstanding the date contained in sec-
23 tion 6 of Public Law 107–57, as amended, the provi-
24 sions of sections 2 and 4 of that Act shall remain
25 in effect through the current fiscal year.

1 (j) MIDDLE EAST FOUNDATION.—Of the funds ap-
2 propriated by this Act under the heading “Economic Sup-
3 port Fund” that are available for the Middle East Part-
4 nership Initiative, up to \$35,000,000 may be made avail-
5 able, including as an endowment, notwithstanding any
6 other provision of law and following consultations with the
7 Committees on Appropriations, to establish and operate
8 a Middle East Foundation, or any other similar entity,
9 whose purposes include to support democracy, governance,
10 human rights, and the rule of law, as well as private enter-
11 prise development in the Middle East region: *Provided*,
12 That such funds may be made available to the Foundation
13 only to the extent that the Foundation has commitments
14 from sources other than the United States Government
15 to at least match the funds provided under the authority
16 of this subsection: *Provided further*, That provisions con-
17 tained in section 201 of the Support for East European
18 Democracy (SEED) Act of 1989 (excluding the authoriza-
19 tions of appropriations provided in subsection (b) of that
20 section) shall be deemed to apply to any such foundation
21 or similar entity referred to under this subsection, and to
22 funds made available to such entity, in order to enable
23 it to provide assistance for purposes of this section: *Pro-*
24 *vided further*, That prior to the initial obligation of funds
25 for any such foundation or similar entity pursuant to the

1 authorities of this subsection, other than for administra-
 2 tive support, the Secretary of State shall take steps to en-
 3 sure, on an ongoing basis, that any such funds made avail-
 4 able pursuant to such authorities are not provided to or
 5 through any individual or group that the management of
 6 the foundation or similar entity knows or has reason to
 7 believe, advocates, plans, sponsors, or otherwise engages
 8 in terrorist activities: *Provided further*, That section 530
 9 of this Act shall apply to any such foundation or similar
 10 entity established pursuant to this subsection: *Provided*
 11 *further*, That the authority of the Foundation, or any simi-
 12 lar entity, to provide assistance shall cease to be effective
 13 on September 30, 2010.

14 ARAB LEAGUE BOYCOTT OF ISRAEL

15 SEC. 535. It is the sense of the Congress that—

16 (1) the Arab League boycott of Israel, and the
 17 secondary boycott of American firms that have com-
 18 mercial ties with Israel, is an impediment to peace
 19 in the region and to United States investment and
 20 trade in the Middle East and North Africa;

21 (2) the Arab League boycott, which was regret-
 22 tably reinstated in 1997, should be immediately and
 23 publicly terminated, and the Central Office for the
 24 Boycott of Israel immediately disbanded;

25 (3) all Arab League states should normalize re-
 26 lations with their neighbor Israel;

17 ELIGIBILITY FOR ASSISTANCE

18 SEC. 536. (a) ASSISTANCE THROUGH NONGOVERN-
19 MENTAL ORGANIZATIONS.—Restrictions contained in this
20 or any other Act with respect to assistance for a country
21 shall not be construed to restrict assistance in support of
22 programs of nongovernmental organizations from funds
23 appropriated by this Act to carry out the provisions of
24 chapters 1, 10, 11, and 12 of part I and chapter 4 of
25 part II of the Foreign Assistance Act of 1961, and from
26 funds appropriated under the heading “Assistance for

1 Eastern Europe and the Baltic States’’: *Provided*, That
2 before using the authority of this subsection to furnish as-
3 sistance in support of programs of nongovernmental orga-
4 nizations, the President shall notify the Committees on
5 Appropriations under the regular notification procedures
6 of those committees, including a description of the pro-
7 gram to be assisted, the assistance to be provided, and
8 the reasons for furnishing such assistance: *Provided fur-*
9 *ther*, That nothing in this subsection shall be construed
10 to alter any existing statutory prohibitions against abor-
11 tion or involuntary sterilizations contained in this or any
12 other Act.

13 (b) PUBLIC LAW 480.—During fiscal year 2007, re-
14 strictions contained in this or any other Act with respect
15 to assistance for a country shall not be construed to re-
16 strict assistance under the Agricultural Trade Develop-
17 ment and Assistance Act of 1954: *Provided*, That none
18 of the funds appropriated to carry out title I of such Act
19 and made available pursuant to this subsection may be
20 obligated or expended except as provided through the reg-
21 ular notification procedures of the Committees on Appro-
22 priations.

23 (c) EXCEPTION.—This section shall not apply—

24 (1) with respect to section 620A of the Foreign
25 Assistance Act of 1961 or any comparable provision

1 of law prohibiting assistance to countries that sup-
2 port international terrorism; or

3 (2) with respect to section 116 of the Foreign
4 Assistance Act of 1961 or any comparable provision
5 of law prohibiting assistance to the government of a
6 country that violates internationally recognized
7 human rights.

8 RESERVATIONS OF FUNDS

9 SEC. 537. (a) Funds appropriated by this Act which
10 are specifically designated may be reprogrammed for other
11 programs within the same account notwithstanding the
12 designation if compliance with the designation is made im-
13 possible by operation of any provision of this or any other
14 Act: *Provided*, That any such reprogramming shall be sub-
15 ject to the regular notification procedures of the Commit-
16 tees on Appropriations: *Provided further*, That assistance
17 that is reprogrammed pursuant to this subsection shall be
18 made available under the same terms and conditions as
19 originally provided.

20 (b) In addition to the authority contained in sub-
21 section (a), the original period of availability of funds ap-
22 propriated by this Act and administered by the United
23 States Agency for International Development that are spe-
24 cifically designated for particular programs or activities by
25 this or any other Act shall be extended for an additional
26 fiscal year if the Administrator of such agency determines

1 and reports promptly to the Committees on Appropria-
2 tions that the termination of assistance to a country or
3 a significant change in circumstances makes it unlikely
4 that such designated funds can be obligated during the
5 original period of availability: *Provided*, That such des-
6 ignated funds that are continued available for an addi-
7 tional fiscal year shall be obligated only for the purpose
8 of such designation.

9 CEILINGS AND DESIGNATED FUNDING LEVELS

10 SEC. 538. Ceilings and specifically designated fund-
11 ing levels contained in this Act shall not be applicable to
12 funds or authorities appropriated or otherwise made avail-
13 able by any subsequent Act unless such Act specifically
14 so directs: *Provided*, That specifically designated funding
15 levels or minimum funding requirements contained in any
16 other Act shall not be applicable to funds appropriated
17 by this Act.

18 PROHIBITION ON PUBLICITY OR PROPAGANDA

19 SEC. 539. No part of any appropriation contained in
20 this Act shall be used for publicity or propaganda purposes
21 within the United States not authorized before the date
22 of the enactment of this Act by the Congress: *Provided*,
23 That not to exceed \$25,000 may be made available to
24 carry out the provisions of section 316 of Public Law 96-
25 533.

13 NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

20 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-
21 MENTS THAT EXPORT LETHAL MILITARY EQUIP-
22 MENT TO COUNTRIES SUPPORTING INTERNATIONAL
23 TERRORISM

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1 ment to a country the government of which the Secretary
2 of State has determined is a terrorist government for pur-
3 poses of section 6(j) of the Export Administration Act of
4 1979. The prohibition under this section with respect to
5 a foreign government shall terminate 12 months after that
6 government ceases to provide such military equipment.
7 This section applies with respect to lethal military equip-
8 ment provided under a contract entered into after October
9 1, 1997.

10 (b) Assistance restricted by subsection (a) or any
11 other similar provision of law, may be furnished if the
12 President determines that furnishing such assistance is
13 important to the national interests of the United States.

14 (c) Whenever the waiver authority of subsection (b)
15 is exercised, the President shall submit to the appropriate
16 congressional committees a report with respect to the fur-
17 nishing of such assistance. Any such report shall include
18 a detailed explanation of the assistance to be provided, in-
19 cluding the estimated dollar amount of such assistance,
20 and an explanation of how the assistance furthers United
21 States national interests.

22 WITHHOLDING OF ASSISTANCE FOR PARKING FINES AND
23 REAL PROPERTY TAXES OWED BY FOREIGN COUNTRIES

24 SEC. 543. (a) Subject to subsection (c), of the funds
25 appropriated by this Act that are made available for as-
26 sistance for a foreign country, an amount equal to 110

1 percent of the total amount of the unpaid fully adjudicated
2 parking fines and penalties and unpaid property taxes
3 owed by the central government of such country shall be
4 withheld from obligation for assistance for the central gov-
5 ernment of such country until the Secretary of State sub-
6 mits a certification to the appropriate congressional com-
7 mittees stating that such parking fines and penalties and
8 unpaid property taxes are fully paid.

9 (b) Funds withheld from obligation pursuant to sub-
10 section (a) may be made available for other programs or
11 activities funded by this Act, after consultation with and
12 subject to the regular notification procedures of the appro-
13 priate congressional committees, provided that no such
14 funds shall be made available for assistance for the central
15 government of a foreign country that has not paid the
16 total amount of the fully adjudicated parking fines and
17 penalties and unpaid property taxes owed by such country.

18 (c) Subsection (a) shall not include amounts that
19 have been withheld under any other provision of law.

20 (d)(1) The Secretary of State may waive the require-
21 ments set forth in subsection (a) with respect to parking
22 fines and penalties no sooner than 60 days from the date
23 of enactment of this Act, or at any time with respect to
24 a particular country, if the Secretary determines that it
25 is in the national interests of the United States to do so.

1 (2) The Secretary of State may waive the require-
2 ments set forth in subsection (a) with respect to the un-
3 paid property taxes if the Secretary of State determines
4 that it is in the national interests of the United States
5 to do so.

6 (e) Not later than 6 months after the initial exercise
7 of the waiver authority in subsection (d), the Secretary
8 of State, after consultations with the City of New York,
9 shall submit a report to the Committees on Appropriations
10 describing a strategy, including a timetable and steps cur-
11 rently being taken, to collect the parking fines and pen-
12 alties and unpaid property taxes and interest owed by na-
13 tions receiving foreign assistance under this Act.

14 (f) In this section:

15 (1) The term “appropriate congressional com-
16 mittees” means the Committee on Appropriations of
17 the Senate and the Committee on Appropriations of
18 the House of Representatives.

19 (2) The term “fully adjudicated” includes cir-
20 cumstances in which the person to whom the vehicle
21 is registered—

22 (A)(i) has not responded to the parking
23 violation summons; or

1 (ii) has not followed the appropriate adju-
 2 dication procedure to challenge the summons;
 3 and

4 (B) the period of time for payment of or
 5 challenge to the summons has lapsed.

6 (3) The term “parking fines and penalties”
 7 means parking fines and penalties—

8 (A) owed to—

9 (i) the District of Columbia; or

10 (ii) New York, New York; and

11 (B) incurred during the period April 1,
 12 1997, through September 30, 2006.

13 (4) The term “unpaid property taxes” means
 14 the amount of unpaid taxes and interest determined
 15 to be owed by a foreign country on real property in
 16 the District of Columbia or New York, New York in
 17 a court order or judgment entered against such
 18 country by a court of the United States or any State
 19 or subdivision thereof.

20 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE
 21 WEST BANK AND GAZA

22 SEC. 544. None of the funds appropriated by this Act
 23 may be obligated for assistance for the Palestine Libera-
 24 tion Organization (PLO) for the West Bank and Gaza un-
 25 less the President has exercised the authority under sec-
 26 tion 604(a) of the Middle East Peace Facilitation Act of

1 1995 (title VI of Public Law 104–107) or any other legis-
2 lation to suspend or make inapplicable section 307 of the
3 Foreign Assistance Act of 1961 and that suspension is
4 still in effect: *Provided*, That if the President fails to make
5 the certification under section 604(b)(2) of the Middle
6 East Peace Facilitation Act of 1995 or to suspend the pro-
7 hibition under other legislation, funds appropriated by this
8 Act may not be obligated for assistance for the Palestine
9 Liberation Organization for the West Bank and Gaza.

10 WAR CRIMES TRIBUNALS DRAWDOWN

11 SEC. 545. If the President determines that doing so
12 will contribute to a just resolution of charges regarding
13 genocide or other violations of international humanitarian
14 law, the President may direct a drawdown pursuant to sec-
15 tion 552(c) of the Foreign Assistance Act of 1961 of up
16 to \$30,000,000 of commodities and services for the United
17 Nations War Crimes Tribunal established with regard to
18 the former Yugoslavia by the United Nations Security
19 Council or such other tribunals or commissions as the
20 Council may establish or authorize to deal with such viola-
21 tions, without regard to the ceiling limitation contained
22 in paragraph (2) thereof: *Provided*, That the determina-
23 tion required under this section shall be in lieu of any de-
24 terminations otherwise required under section 552(c): *Pro-*
25 *vided further*, That the drawdown made under this section
26 for any tribunal shall not be construed as an endorsement

1 or precedent for the establishment of any standing or per-
2 manent international criminal tribunal or court: *Provided*
3 *further*, That funds made available for tribunals other
4 than Yugoslavia, Rwanda, or the Special Court for Sierra
5 Leone shall be made available subject to the regular notifi-
6 cation procedures of the Committees on Appropriations.

7 LANDMINES

8 SEC. 546. Notwithstanding any other provision of
9 law, demining equipment available to the United States
10 Agency for International Development and the Depart-
11 ment of State and used in support of the clearance of
12 landmines and unexploded ordnance for humanitarian
13 purposes may be disposed of on a grant basis in foreign
14 countries, subject to such terms and conditions as the
15 President may prescribe.

16 RESTRICTIONS CONCERNING THE PALESTINIAN

17 AUTHORITY

18 SEC. 547. None of the funds appropriated by this Act
19 may be obligated or expended to create in any part of Je-
20 rusalem a new office of any department or agency of the
21 United States Government for the purpose of conducting
22 official United States Government business with the Pal-
23 estinian Authority over Gaza and Jericho or any successor
24 Palestinian governing entity provided for in the Israel-
25 PLO Declaration of Principles: *Provided*, That this re-
26 striction shall not apply to the acquisition of additional

1 space for the existing Consulate General in Jerusalem:
2 *Provided further*, That meetings between officers and em-
3 ployees of the United States and officials of the Pales-
4 tinian Authority, or any successor Palestinian governing
5 entity provided for in the Israel-PLO Declaration of Prin-
6 ciples, for the purpose of conducting official United States
7 Government business with such authority should continue
8 to take place in locations other than Jerusalem. As has
9 been true in the past, officers and employees of the United
10 States Government may continue to meet in Jerusalem on
11 other subjects with Palestinians (including those who now
12 occupy positions in the Palestinian Authority), have social
13 contacts, and have incidental discussions.

14 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

15 SEC. 548. None of the funds appropriated or other-
16 wise made available by this Act under the heading “Inter-
17 national Military Education and Training” or “Foreign
18 Military Financing Program” for Informational Program
19 activities or under the headings “Child Survival and
20 Health Programs Fund”, “Development Assistance”, and
21 “Economic Support Fund” may be obligated or expended
22 to pay for—

- 23 (1) alcoholic beverages; or
24 (2) entertainment expenses for activities that
25 are substantially of a recreational character, includ-
26 ing but not limited to entrance fees at sporting

1 events, theatrical and musical productions, and
2 amusement parks.

3 HAITI

4 SEC. 549. (a) The Government of Haiti shall be eligi-
5 ble to purchase defense articles and services under the
6 Arms Export Control Act (22 U.S.C. 2751 et seq.), for
7 the Coast Guard.

8 (b) None of the funds made available in this Act
9 under the heading “International Narcotics Control and
10 Law Enforcement” may be used to transfer excess weap-
11 ons, ammunition or other lethal property of an agency of
12 the United States Government to the Government of Haiti
13 for use by the Haitian National Police until the Secretary
14 of State certifies to the Committees on Appropriations
15 that: (1) the United Nations Mission in Haiti
16 (MINUSTAH) has carried out the vetting of the senior
17 levels of the Haitian National Police and has ensured that
18 those credibly alleged to have committed serious crimes,
19 including drug trafficking and human rights violations,
20 have been suspended; and (2) the Haitian National Gov-
21 ernment is cooperating in a reform and restructuring plan
22 for the Haitian National Police and the reform of the judi-
23 cial system as called for in United Nations Security Coun-
24 cil Resolution 1608 adopted on June 22, 2005.

1 LIMITATION ON ASSISTANCE TO THE PALESTINIAN
2 AUTHORITY

3 SEC. 550. (a) PROHIBITION OF FUNDS.—None of the
4 funds appropriated by this Act to carry out the provisions
5 of chapter 4 of part II of the Foreign Assistance Act of
6 1961 may be obligated or expended with respect to pro-
7 viding funds to the Palestinian Authority.

8 (b) WAIVER.—The prohibition included in subsection
9 (a) shall not apply if the President certifies in writing to
10 the Speaker of the House of Representatives and the
11 President pro tempore of the Senate that waiving such
12 prohibition is important to the national security interests
13 of the United States.

14 (c) PERIOD OF APPLICATION OF WAIVER.—Any
15 waiver pursuant to subsection (b) shall be effective for no
16 more than a period of 6 months at a time and shall not
17 apply beyond 12 months after the enactment of this Act.

18 (d) REPORT.—Whenever the waiver authority pursu-
19 ant to subsection (b) is exercised, the President shall sub-
20 mit a report to the Committees on Appropriations detail-
21 ing the steps the Palestinian Authority has taken to arrest
22 terrorists, confiscate weapons and dismantle the terrorist
23 infrastructure. The report shall also include a description
24 of how funds will be spent and the accounting procedures
25 in place to ensure that they are properly disbursed.

1 LIMITATION ON ASSISTANCE TO SECURITY FORCES

2 SEC. 551. None of the funds made available by this
3 Act may be provided to any unit of the security forces
4 of a foreign country if the Secretary of State has credible
5 evidence that such unit has committed gross violations of
6 human rights, unless the Secretary determines and reports
7 to the Committees on Appropriations that the government
8 of such country is taking effective measures to bring the
9 responsible members of the security forces unit to justice:
10 *Provided*, That nothing in this section shall be construed
11 to withhold funds made available by this Act from any
12 unit of the security forces of a foreign country not credibly
13 alleged to be involved in gross violations of human rights:
14 *Provided further*, That in the event that funds are withheld
15 from any unit pursuant to this section, the Secretary of
16 State shall promptly inform the foreign government of the
17 basis for such action and shall, to the maximum extent
18 practicable, assist the foreign government in taking effective
19 measures to bring the responsible members of the security
20 forces to justice.

21 FOREIGN MILITARY TRAINING REPORT

22 SEC. 552. The annual foreign military training report
23 required by section 656 of the Foreign Assistance Act of
24 1961 shall be submitted by the Secretary of Defense and
25 the Secretary of State to the Committees on Appropria-

1 tions of the House of Representatives and the Senate by
2 the date specified in that section.

3 AUTHORIZATION REQUIREMENT

4 SEC. 553. Funds appropriated by this Act, except
5 funds appropriated under the headings “Trade and Devel-
6 opment Agency”, “Overseas Private Investment Corpora-
7 tion”, and “Global HIV/AIDS Initiative”, may be obli-
8 gated and expended notwithstanding section 10 of Public
9 Law 91–672 and section 15 of the State Department
10 Basic Authorities Act of 1956.

11 CAMBODIA

12 SEC. 554. The Secretary of the Treasury should in-
13 struct the United States executive directors of the inter-
14 national financial institutions to use the voice and vote
15 of the United States to oppose loans to the Central Gov-
16 ernment of Cambodia, except loans to meet basic human
17 needs.

18 PALESTINIAN STATEHOOD

19 SEC. 555. (a) LIMITATION ON ASSISTANCE.—None
20 of the funds appropriated by this Act may be provided
21 to support a Palestinian state unless the Secretary of
22 State determines and certifies to the appropriate congres-
23 sional committees that—

24 (1) a new leadership of a Palestinian governing
25 entity has been democratically elected through cred-
26 ible and competitive elections;

1 (2) the elected governing entity of a new Pales-
2 tinian state—

3 (A) has demonstrated a firm commitment
4 to peaceful co-existence with the State of Israel;

5 (B) is taking appropriate measures to
6 counter terrorism and terrorist financing in the
7 West Bank and Gaza, including the dismantling
8 of terrorist infrastructures;

9 (C) is establishing a new Palestinian secu-
10 rity entity that is cooperative with appropriate
11 Israeli and other appropriate security organiza-
12 tions; and

13 (3) the Palestinian Authority (or the governing
14 body of a new Palestinian state) is working with
15 other countries in the region to vigorously pursue ef-
16 forts to establish a just, lasting, and comprehensive
17 peace in the Middle East that will enable Israel and
18 an independent Palestinian state to exist within the
19 context of full and normal relationships, which
20 should include—

21 (A) termination of all claims or states of
22 belligerency;

23 (B) respect for and acknowledgement of
24 the sovereignty, territorial integrity, and polit-
25 ical independence of every state in the area

1 through measures including the establishment
2 of demilitarized zones;

3 (C) their right to live in peace within se-
4 cure and recognized boundaries free from
5 threats or acts of force;

6 (D) freedom of navigation through inter-
7 national waterways in the area; and

8 (E) a framework for achieving a just set-
9 tlement of the refugee problem.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the newly-elected governing entity should enact
12 a constitution assuring the rule of law, an independent ju-
13 diciary, and respect for human rights for its citizens, and
14 should enact other laws and regulations assuring trans-
15 parent and accountable governance.

16 (c) WAIVER.—The President may waive subsection
17 (a) if he determines that it is vital to the national security
18 interests of the United States to do so.

19 (d) EXEMPTION.—The restriction in subsection (a)
20 shall not apply to assistance intended to help reform the
21 Palestinian Authority and affiliated institutions, or a
22 newly-elected governing entity, in order to help meet the
23 requirements of subsection (a), consistent with the provi-
24 sions of section 550 of this Act (“Limitation on Assistance
25 to the Palestinian Authority”).

COLOMBIA

1
2 SEC. 556. (a) DETERMINATION AND CERTIFICATION
3 REQUIRED.—Funds appropriated by this Act that are
4 available for assistance for the Colombian Armed Forces,
5 may be made available as follows:

6 (1) Up to 75 percent of such funds may be obli-
7 gated prior to a determination and certification by
8 the Secretary of State pursuant to paragraph (2).

9 (2) Up to 12.5 percent of such funds may be
10 obligated only after the Secretary of State certifies
11 and reports to the appropriate congressional com-
12 mittees that:

13 (A) The Commander General of the Co-
14 lombian Armed Forces is suspending from the
15 Armed Forces those members, of whatever rank
16 who, according to the Minister of Defense or
17 the Procuraduria General de la Nacion, have
18 been credibly alleged to have committed gross
19 violations of human rights, including extra-judi-
20 cial killings, or to have aided or abetted para-
21 military organizations.

22 (B) The Colombian Government is vigor-
23 ously investigating and prosecuting those mem-
24 bers of the Colombian Armed Forces, of what-
25 ever rank, who have been credibly alleged to

1 have committed gross violations of human
2 rights, including extra-judicial killings, or to
3 have aided or abetted paramilitary organiza-
4 tions, and is promptly punishing those members
5 of the Colombian Armed Forces found to have
6 committed such violations of human rights or to
7 have aided or abetted paramilitary organiza-
8 tions.

9 (C) The Colombian Armed Forces have
10 made substantial progress in cooperating with
11 civilian prosecutors and judicial authorities in
12 such cases (including providing requested infor-
13 mation, such as the identity of persons sus-
14 pended from the Armed Forces and the nature
15 and cause of the suspension, and access to wit-
16 nesses, relevant military documents, and other
17 requested information).

18 (D) The Colombian Armed Forces have
19 made substantial progress in severing links (in-
20 cluding denying access to military intelligence,
21 vehicles, and other equipment or supplies, and
22 ceasing other forms of active or tacit coopera-
23 tion) at the command, battalion, and brigade
24 levels, with paramilitary organizations, espe-

1 cially in regions where these organizations have
2 a significant presence.

3 (E) The Colombian Government is disman-
4 tling paramilitary leadership and financial net-
5 works by arresting commanders and financial
6 backers, especially in regions where these net-
7 works have a significant presence.

8 (F) The Colombian Government is taking
9 effective steps to ensure that the Colombian
10 Armed Forces are not violating the land and
11 property rights of Colombia's indigenous com-
12 munities.

13 (3) The balance of such funds may be obligated
14 after July 31, 2007, if the Secretary of State cer-
15 tifies and reports to the appropriate congressional
16 committees, after such date, that the Colombian
17 Armed Forces are continuing to meet the conditions
18 contained in paragraph (2) and are conducting vig-
19 orous operations to restore government authority
20 and respect for human rights in areas under the ef-
21 fective control of paramilitary and guerrilla organi-
22 zations.

23 (b) CONGRESSIONAL NOTIFICATION.—Funds made
24 available by this Act for the Colombian Armed Forces

1 shall be subject to the regular notification procedures of
2 the Committees on Appropriations.

3 (c) CONSULTATIVE PROCESS.—Not later than 60
4 days after the date of enactment of this Act, and every
5 90 days thereafter until September 30, 2008, the Sec-
6 retary of State shall consult with internationally recog-
7 nized human rights organizations regarding progress in
8 meeting the conditions contained in subsection (a).

9 (d) DEFINITIONS.—In this section:

10 (1) AIDED OR ABETTED.—The term “aided or
11 abetted” means to provide any support to para-
12 military groups, including taking actions which
13 allow, facilitate, or otherwise foster the activities of
14 such groups.

15 (2) PARAMILITARY GROUPS.—The term “para-
16 military groups” means illegal self-defense groups
17 and illegal security cooperatives.

18 ILLEGAL ARMED GROUP

19 SEC. 557. (a) DENIAL OF VISAS TO SUPPORTERS OF
20 COLOMBIAN ILLEGAL ARMED GROUPS.—Subject to sub-
21 section (b), the Secretary of State shall not issue a visa
22 to any alien who the Secretary determines, based on cred-
23 ible evidence—

24 (1) has willfully provided any support to the
25 Revolutionary Armed Forces of Colombia (FARC),
26 the National Liberation Army (ELN), or the United

1 Self-Defense Forces of Colombia (AUC), including
2 taking actions or failing to take actions which allow,
3 facilitate, or otherwise foster the activities of such
4 groups; or

5 (2) has committed, ordered, incited, assisted, or
6 otherwise participated in the commission of gross
7 violations of human rights, including extra-judicial
8 killings, in Colombia.

9 (b) WAIVER.—Subsection (a) shall not apply if the
10 Secretary of State determines and certifies to the appro-
11 priate congressional committees, on a case-by-case basis,
12 that the issuance of a visa to the alien is necessary to
13 support the peace process in Colombia or for urgent hu-
14 manitarian reasons.

15 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN

16 BROADCASTING CORPORATION

17 SEC. 558. None of the funds appropriated or other-
18 wise made available by this Act may be used to provide
19 equipment, technical support, consulting services, or any
20 other form of assistance to the Palestinian Broadcasting
21 Corporation.

22 WEST BANK AND GAZA PROGRAM

23 SEC. 559. (a) PROHIBITION.—None of the funds ap-
24 propriated by this Act for assistance under the West Bank
25 and Gaza program may be made available for the purpose

1 of recognizing or otherwise honoring individuals who com-
2 mit, or have committed, acts of terrorism.

3 (b) AUDITS.—

4 (1) The Administrator of the United States
5 Agency for International Development shall ensure
6 that Federal or non-Federal audits of all contractors
7 and grantees, and significant subcontractors and
8 subgrantees, under the West Bank and Gaza Pro-
9 gram, are conducted at least on an annual basis to
10 ensure, among other things, compliance with this
11 section.

12 (2) Of the funds appropriated by this Act up to
13 \$1,000,000 may be used by the Office of the Inspec-
14 tor General of the United States Agency for Inter-
15 national Development for audits, inspections, and
16 other activities in furtherance of the requirements of
17 this subsection.

18 (c) The Comptroller General of the United States
19 shall conduct an audit and an investigation of the treat-
20 ment, handling, and uses of all funds for the bilateral
21 West Bank and Gaza Program in fiscal year 2006 under
22 the heading “Economic Support Fund”. The audit shall
23 address—

24 (1) the extent to which such Program complies
25 with the requirements of subsection (a), and

1 (2) an examination of all programs, projects,
2 and activities carried out under such Program, in-
3 cluding both obligations and expenditures.

4 (d) Not later than 180 days after enactment of this
5 Act, the Secretary of State shall submit a report to the
6 Committees on Appropriations updating the report con-
7 tained in section 2106 of chapter 2 of title II of Public
8 Law 109–13.

9 CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

10 SEC. 560. (a) LIMITATIONS ON AMOUNT OF CON-
11 TRIBUTION.—Of the amounts made available under
12 “International Organizations and Programs” and “Child
13 Survival and Health Programs Fund” for fiscal year
14 2007, \$34,000,000 shall be made available for the United
15 Nations Population Fund (hereafter in this section re-
16 ferred to as the “UNFPA”): *Provided*, That of this
17 amount, not less than \$22,275,000 shall be derived from
18 funds appropriated under the heading “International Or-
19 ganizations and Programs”.

20 (b) AVAILABILITY OF FUNDS.—Funds appropriated
21 under the heading “International Organizations and Pro-
22 grams” in this Act that are available for UNFPA, that
23 are not made available for UNFPA because of the oper-
24 ation of any provision of law, shall be transferred to
25 “Child Survival and Health Programs Fund” and shall
26 be made available for family planning, maternal, and re-

1 productive health activities, subject to the regular notifica-
2 tion procedures of the Committees on Appropriations.

3 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—
4 None of the funds made available under “International
5 Organizations and Programs” may be made available for
6 the UNFPA for a country program in the People’s Repub-
7 lic of China.

8 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—
9 Amounts made available under “International Organiza-
10 tions and Programs” for fiscal year 2007 for the UNFPA
11 may not be made available to UNFPA unless—

12 (1) the UNFPA maintains amounts made avail-
13 able to the UNFPA under this section in an account
14 separate from other accounts of the UNFPA;

15 (2) the UNFPA does not commingle amounts
16 made available to the UNFPA under this section
17 with other sums; and

18 (3) the UNFPA does not fund abortions.

19 WAR CRIMINALS

20 SEC. 561. (a)(1) None of the funds appropriated or
21 otherwise made available pursuant to this Act may be
22 made available for assistance, and the Secretary of the
23 Treasury shall instruct the United States executive direc-
24 tors to the international financial institutions to vote
25 against any new project involving the extension by such
26 institutions of any financial or technical assistance, to any

1 country, entity, or municipality whose competent authori-
2 ties have failed, as determined by the Secretary of State,
3 to take necessary and significant steps to implement its
4 international legal obligations to apprehend and transfer
5 to the International Criminal Tribunal for the former
6 Yugoslavia (the “Tribunal”) all persons in their territory
7 who have been indicted by the Tribunal and to otherwise
8 cooperate with the Tribunal.

9 (2) The provisions of this subsection shall not apply
10 to humanitarian assistance or assistance for democratiza-
11 tion.

12 (b) The provisions of subsection (a) shall apply unless
13 the Secretary of State determines and reports to the ap-
14 propriate congressional committees that the competent au-
15 thorities of such country, entity, or municipality are—

16 (1) cooperating with the Tribunal, including ac-
17 cess for investigators to archives and witnesses, the
18 provision of documents, and the surrender and
19 transfer of indictees or assistance in their apprehen-
20 sion; and

21 (2) are acting consistently with the Dayton Ac-
22 cords.

23 (c) Not less than 10 days before any vote in an inter-
24 national financial institution regarding the extension of
25 any new project involving financial or technical assistance

1 or grants to any country or entity described in subsection
2 (a), the Secretary of the Treasury, in consultation with
3 the Secretary of State, shall provide to the Committees
4 on Appropriations a written justification for the proposed
5 assistance, including an explanation of the United States
6 position regarding any such vote, as well as a description
7 of the location of the proposed assistance by municipality,
8 its purpose, and its intended beneficiaries.

9 (d) In carrying out this section, the Secretary of
10 State, the Administrator of the United States Agency for
11 International Development, and the Secretary of the
12 Treasury shall consult with representatives of human
13 rights organizations and all government agencies with rel-
14 evant information to help prevent indicted war criminals
15 from benefiting from any financial or technical assistance
16 or grants provided to any country or entity described in
17 subsection (a).

18 (e) The Secretary of State may waive the application
19 of subsection (a) with respect to projects within a country,
20 entity, or municipality upon a written determination to the
21 Committees on Appropriations that such assistance di-
22 rectly supports the implementation of the Dayton Accords.

23 (f) DEFINITIONS.—As used in this section:

24 (1) COUNTRY.—The term “country” means
25 Bosnia and Herzegovina, Croatia and Serbia.

(4) DAYTON ACCORDS.—The term “Dayton Accords” means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

13 SEC. 562. The Secretary of the Treasury shall in-
14 struct the United States Executive Director at each inter-
15 national financial institution (as defined in section
16 1701(c)(2) of the International Financial Institutions Act)
17 and the International Monetary Fund to oppose any loan,
18 grant, strategy or policy of these institutions that would
19 require user fees or service charges on poor people for pri-
20 mary education or primary healthcare, including preven-
21 tion and treatment efforts for HIV/AIDS, malaria, tuber-
22 culosis, and infant, child, and maternal well-being, in con-
23 nection with the institutions' financing programs.

25 SEC. 563. (a) Funds appropriated by this Act may
26 be made available for assistance for the central Govern-

1 ment of Serbia after May 31, 2007, if the President has
2 made the determination and certification contained in sub-
3 section (c).

4 (b) After May 31, 2007, the Secretary of the Treas-
5 ury should instruct the United States executive directors
6 to the international financial institutions to support loans
7 and assistance to the Government of Serbia and Monte-
8 negro subject to the conditions in subsection (c): *Provided*,
9 That section 576 of the Foreign Operations, Export Fi-
10 nancing, and Related Programs Appropriations Act, 1997,
11 as amended, shall not apply to the provision of loans and
12 assistance to the Government of Serbia and Montenegro
13 through international financial institutions.

14 (c) The determination and certification referred to in
15 subsection (a) is a determination by the President and a
16 certification to the Committees on Appropriations that the
17 Government of Serbia and Montenegro is—

18 (1) cooperating with the International Criminal
19 Tribunal for the former Yugoslavia including access
20 for investigators, the provision of documents, and
21 the surrender and transfer of indictees or assistance
22 in their apprehension, including Ratko Mladic;

23 (2) taking steps that are consistent with the
24 Dayton Accords to end Serbian financial, political,
25 security and other support which has served to

1 maintain separate Republika Srpska institutions;
2 and

3 (3) taking steps to implement policies which re-
4 flect a respect for minority rights and the rule of
5 law.

6 (d) This section shall not apply to Montenegro,
7 Kosovo, humanitarian assistance or assistance to promote
8 democracy.

9 COMMUNITY-BASED POLICE ASSISTANCE

10 SEC. 564. (a) AUTHORITY.—Funds made available
11 by this Act to carry out the provisions of chapter 1 of
12 part I and chapter 4 of part II of the Foreign Assistance
13 Act of 1961, may be used, notwithstanding section 660
14 of that Act, to enhance the effectiveness and account-
15 ability of civilian police authority through training and
16 technical assistance in human rights, the rule of law, stra-
17 tegic planning, and through assistance to foster civilian
18 police roles that support democratic governance including
19 assistance for programs to prevent conflict, respond to dis-
20 asters, address gender-based violence, and foster improved
21 police relations with the communities they serve.

22 (b) NOTIFICATION.—Assistance provided under sub-
23 section (a) shall be subject to prior consultation with, and
24 the regular notification procedures of, the Committees on
25 Appropriations.

1 SPECIAL DEBT RELIEF FOR THE POOREST

2 SEC. 565. (a) AUTHORITY TO REDUCE DEBT.—The
3 President may reduce amounts owed to the United States
4 (or any agency of the United States) by an eligible country
5 as a result of—

6 (1) guarantees issued under sections 221 and
7 222 of the Foreign Assistance Act of 1961;

8 (2) credits extended or guarantees issued under
9 the Arms Export Control Act; or

10 (3) any obligation or portion of such obligation,
11 to pay for purchases of United States agricultural
12 commodities guaranteed by the Commodity Credit
13 Corporation under export credit guarantee programs
14 authorized pursuant to section 5(f) of the Com-
15 modity Credit Corporation Charter Act of June 29,
16 1948, as amended, section 4(b) of the Food for
17 Peace Act of 1966, as amended (Public Law 89–
18 808), or section 202 of the Agricultural Trade Act
19 of 1978, as amended (Public Law 95–501).

20 (b) LIMITATIONS.—

21 (1) The authority provided by subsection (a)
22 may be exercised only to implement multilateral offi-
23 cial debt relief and referendum agreements, com-
24 monly referred to as “Paris Club Agreed Minutes”.

1 (2) The authority provided by subsection (a)
2 may be exercised only in such amounts or to such
3 extent as is provided in advance by appropriations
4 Acts.

5 (3) The authority provided by subsection (a)
6 may be exercised only with respect to countries with
7 heavy debt burdens that are eligible to borrow from
8 the International Development Association, but not
9 from the International Bank for Reconstruction and
10 Development, commonly referred to as “IDA-only”
11 countries.

12 (c) CONDITIONS.—The authority provided by sub-
13 section (a) may be exercised only with respect to a country
14 whose government—

15 (1) does not have an excessive level of military
16 expenditures;

17 (2) has not repeatedly provided support for acts
18 of international terrorism;

19 (3) is not failing to cooperate on international
20 narcotics control matters;

21 (4) (including its military or other security
22 forces) does not engage in a consistent pattern of
23 gross violations of internationally recognized human
24 rights; and

1 (5) is not ineligible for assistance because of the
2 application of section 527 of the Foreign Relations
3 Authorization Act, Fiscal Years 1994 and 1995.

4 (d) AVAILABILITY OF FUNDS.—The authority pro-
5 vided by subsection (a) may be used only with regard to
6 the funds appropriated by this Act under the heading
7 “Debt Restructuring”.

8 (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
9 duction of debt pursuant to subsection (a) shall not be
10 considered assistance for the purposes of any provision of
11 law limiting assistance to a country. The authority pro-
12 vided by subsection (a) may be exercised notwithstanding
13 section 620(r) of the Foreign Assistance Act of 1961 or
14 section 321 of the International Development and Food
15 Assistance Act of 1975.

16 AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES
17 SEC. 566. (a) LOANS ELIGIBLE FOR SALE, REDUC-
18 TION, OR CANCELLATION.—

19 (1) AUTHORITY TO SELL, REDUCE, OR CANCEL
20 CERTAIN LOANS.—Notwithstanding any other provi-
21 sion of law, the President may, in accordance with
22 this section, sell to any eligible purchaser any
23 concessional loan or portion thereof made before
24 January 1, 1995, pursuant to the Foreign Assist-
25 ance Act of 1961, to the government of any eligible

1 country as defined in section 702(6) of that Act or
2 on receipt of payment from an eligible purchaser, re-
3 duce or cancel such loan or portion thereof, only for
4 the purpose of facilitating—

5 (A) debt-for-equity swaps, debt-for-develop-
6 ment swaps, or debt-for-nature swaps; or

7 (B) a debt buyback by an eligible country
8 of its own qualified debt, only if the eligible
9 country uses an additional amount of the local
10 currency of the eligible country, equal to not
11 less than 40 percent of the price paid for such
12 debt by such eligible country, or the difference
13 between the price paid for such debt and the
14 face value of such debt, to support activities
15 that link conservation and sustainable use of
16 natural resources with local community develop-
17 ment, and child survival and other child devel-
18 opment, in a manner consistent with sections
19 707 through 710 of the Foreign Assistance Act
20 of 1961, if the sale, reduction, or cancellation
21 would not contravene any term or condition of
22 any prior agreement relating to such loan.

23 (2) TERMS AND CONDITIONS.—Notwithstanding
24 any other provision of law, the President shall, in ac-
25 cordance with this section, establish the terms and

1 conditions under which loans may be sold, reduced,
2 or canceled pursuant to this section.

3 (3) ADMINISTRATION.—The Facility, as defined
4 in section 702(8) of the Foreign Assistance Act of
5 1961, shall notify the administrator of the agency
6 primarily responsible for administering part I of the
7 Foreign Assistance Act of 1961 of purchasers that
8 the President has determined to be eligible, and
9 shall direct such agency to carry out the sale, reduc-
10 tion, or cancellation of a loan pursuant to this sec-
11 tion. Such agency shall make adjustment in its ac-
12 counts to reflect the sale, reduction, or cancellation.

13 (4) LIMITATION.—The authorities of this sub-
14 section shall be available only to the extent that ap-
15 propriations for the cost of the modification, as de-
16 fined in section 502 of the Congressional Budget Act
17 of 1974, are made in advance.

18 (b) DEPOSIT OF PROCEEDS.—The proceeds from the
19 sale, reduction, or cancellation of any loan sold, reduced,
20 or canceled pursuant to this section shall be deposited in
21 the United States Government account or accounts estab-
22 lished for the repayment of such loan.

23 (c) ELIGIBLE PURCHASERS.—A loan may be sold
24 pursuant to subsection (a)(1)(A) only to a purchaser who
25 presents plans satisfactory to the President for using the

1 loan for the purpose of engaging in debt-for-equity swaps,
2 debt-for-development swaps, or debt-for-nature swaps.

3 (d) DEBTOR CONSULTATIONS.—Before the sale to
4 any eligible purchaser, or any reduction or cancellation
5 pursuant to this section, of any loan made to an eligible
6 country, the President should consult with the country
7 concerning the amount of loans to be sold, reduced, or
8 canceled and their uses for debt-for-equity swaps, debt-
9 for-development swaps, or debt-for-nature swaps.

10 (e) AVAILABILITY OF FUNDS.—The authority pro-
11 vided by subsection (a) may be used only with regard to
12 funds appropriated by this Act under the heading “Debt
13 Restructuring”.

14 BASIC EDUCATION

15 SEC. 567. Of the funds appropriated by title II of
16 this Act, not less than \$550,000,000 shall be made avail-
17 able for basic education.

18 RECONCILIATION PROGRAMS

19 SEC. 568. Of the funds appropriated under the head-
20 ing “Economic Support Fund”, not less than \$15,000,000
21 should be made available to support reconciliation pro-
22 grams and activities which bring together individuals of
23 different ethnic, religious, and political backgrounds from
24 areas of civil conflict and war.

SUDAN

SEC. 569. (a) LIMITATION ON ASSISTANCE.—Subject to subsection (b):

(1) Notwithstanding section 501(a) of the International Malaria Control Act of 2000 (Public Law 106–570) or any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(2) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502, of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(b) Subsection (a) shall not apply if the Secretary of State determines and certifies to the Committees on Appropriations that—

(1) the Government of Sudan has taken significant steps to disarm and disband government-supported militia groups in the Darfur region;

(2) the Government of Sudan and all government-supported militia groups are honoring their

1 ceasefire commitments made in the Darfur Peace
2 Agreement; and

3 (3) the Government of Sudan is allowing
4 unimpeded access to Darfur to humanitarian aid or-
5 ganizations, the human rights investigation and hu-
6 manitarian teams of the United Nations, including
7 protection officers, and an international monitoring
8 team that is based in Darfur and that has the sup-
9 port of the United States.

10 (c) EXCEPTIONS.—The provisions of subsection (b)
11 shall not apply to—

12 (1) humanitarian assistance;

13 (2) assistance for Darfur and for areas outside
14 the control of the Government of Sudan; and

15 (3) assistance to support implementation of the
16 Comprehensive Peace Agreement or the Darfur
17 Peace Agreement.

18 (d) DEFINITIONS.—For the purposes of this Act and
19 section 501 of Public Law 106–570, the terms “Govern-
20 ment of Sudan”, “areas outside of control of the Govern-
21 ment of Sudan”, and “area in Sudan outside of control
22 of the Government of Sudan” shall have the same meaning
23 and application as was the case immediately prior to June
24 5, 2004, and, Southern Kordofan/Nuba Mountains State,

1 Blue Nile State and Abyei shall be deemed “areas outside
2 of control of the Government of Sudan”.

3 PEACE CORPS PERSONAL SERVICES CONTRACTORS

4 SEPARATION PAY

5 SEC. 570. (a) ESTABLISHMENT.—There is estab-
6 lished in the Treasury of the United States a fund for
7 the Peace Corps to provide separation pay for host country
8 resident personal services contractors of the Peace Corps.

9 (b) FUNDING.—The Director of the Peace Corps may
10 deposit in such fund—

11 (1) amounts previously obligated and not can-
12 celed for separation pay of host country resident
13 personal services contractors of the Peace Corps;
14 and

15 (2) amounts obligated for fiscal years after
16 2006 for the current and future costs of separation
17 pay for host country resident personal services con-
18 tractors of the Peace Corps.

19 (c) AVAILABILITY.—Beginning in fiscal year 2007
20 and thereafter, amounts in the fund are available without
21 fiscal year limitation for severance, retirement, or other
22 separation payments to host country resident personal
23 services contractors of the Peace Corps in countries where
24 such pay is legally authorized.

1 EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTH
2 EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES

3 SEC. 571. Notwithstanding section 516(e) of the For-
4 eign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during
5 fiscal year 2007, funds available to the Department of De-
6 fense may be expended for crating, packing, handling, and
7 transportation of excess defense articles transferred under
8 the authority of section 516 of such Act to Albania, Af-
9 ghanistan, Bulgaria, Croatia, Estonia, Former Yugo-
10 slavian Republic of Macedonia, Georgia, India, Iraq,
11 Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova,
12 Mongolia, Pakistan, Romania, Slovakia, Tajikistan,
13 Turkmenistan, and Ukraine.

14 CUBA

15 SEC. 572. None of the funds appropriated by this Act
16 under the heading “International Narcotics Control and
17 Law Enforcement” may be made available for assistance
18 to the Government of Cuba.

19 GENDER-BASED VIOLENCE

20 SEC. 573. Programs funded under titles II and III
21 of this Act that provide training for foreign police, judicial,
22 and military officials, shall include, where appropriate,
23 programs and activities that address gender-based vio-
24 lence.

1 LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE
2 FOR CERTAIN FOREIGN GOVERNMENTS THAT ARE
3 PARTIES TO THE INTERNATIONAL CRIMINAL COURT

4 SEC. 574. (a) None of the funds made available in
5 this Act in title II under the heading “Economic Support
6 Fund” may be used to provide assistance to the govern-
7 ment of a country that is a party to the International
8 Criminal Court and has not entered into an agreement
9 with the United States pursuant to Article 98 of the Rome
10 Statute preventing the International Criminal Court from
11 proceeding against United States personnel present in
12 such country.

13 (b) The President may, with prior notice to Congress,
14 waive the prohibition of subsection (a) with respect to a
15 North Atlantic Treaty Organization (“NATO”) member
16 country, a major non-NATO ally (including Australia,
17 Egypt, Israel, Japan, Jordan, Argentina, the Republic of
18 Korea, and New Zealand), Taiwan, or such other country
19 as he may determine if he determines and reports to the
20 appropriate congressional committees that it is important
21 to the national interests of the United States to waive such
22 prohibition.

23 (c) The President may, with prior notice to Congress,
24 waive the prohibition of subsection (a) with respect to a
25 particular country if he determines and reports to the ap-

1 appropriate congressional committees that such country has
2 entered into an agreement with the United States pursu-
3 ant to Article 98 of the Rome Statute preventing the
4 International Criminal Court from proceeding against
5 United States personnel present in such country.

6 (d) The prohibition of this section shall not apply to
7 countries otherwise eligible for assistance under the Mil-
8 lennium Challenge Act of 2003, notwithstanding section
9 606(a)(2)(B) of such Act.

10 TIBET

11 SEC. 575. (a) The Secretary of the Treasury should
12 instruct the United States executive director to each inter-
13 national financial institution to use the voice and vote of
14 the United States to support projects in Tibet if such
15 projects do not provide incentives for the migration and
16 settlement of non-Tibetans into Tibet or facilitate the
17 transfer of ownership of Tibetan land and natural re-
18 sources to non-Tibetans; are based on a thorough needs-
19 assessment; foster self-sufficiency of the Tibetan people
20 and respect Tibetan culture and traditions; and are sub-
21 ject to effective monitoring.

22 (b) Notwithstanding any other provision of law, not
23 less than \$4,000,000 of the funds appropriated by this
24 Act under the heading “Economic Support Fund” should
25 be made available to nongovernmental organizations to

1 support activities which preserve cultural traditions and
2 promote sustainable development and environmental con-
3 servation in Tibetan communities in the Tibetan Autono-
4 mous Region and in other Tibetan communities in China,
5 and not less than \$250,000 should be made available to
6 the National Endowment for Democracy for human rights
7 and democracy programs relating to Tibet.

8 WESTERN HEMISPHERE

9 SEC. 576. (a) Of the funds appropriated by this Act
10 under the headings “Child Survival and Health Programs
11 Fund” and “Development Assistance”, not less than the
12 amount of funds initially allocated pursuant to section
13 653(a) of the Foreign Assistance Act of 1961 for fiscal
14 year 2006 should be made available for El Salvador, Gua-
15 temala, Nicaragua and Honduras.

16 (b) In addition to the amounts requested under the
17 heading “Economic Support Fund” for assistance for
18 Nicaragua and Guatemala in fiscal year 2007, not less
19 than \$1,500,000 should be made available for electoral as-
20 sistance, media and civil society programs, and activities
21 to combat corruption and strengthen democracy in Nica-
22 ragua, and not less than \$1,500,000 should be made avail-
23 able for programs and activities to combat organized
24 crime, crimes of violence specifically targeting women, and
25 corruption in Guatemala.

1 (c) Funds made available pursuant to subsection (b)
2 shall be subject to prior consultation with the Committees
3 on Appropriations.

4 (d) Of the funds appropriated in title II of this Act,
5 not less than the amount of funds initially allocated pursu-
6 ant to section 653(a) of the Foreign Assistance Act of
7 1961 for fiscal year 2006 in the aggregate for countries
8 of the Western Hemisphere should be made available for
9 such puposes in this bill.

10 UNITED STATES AGENCY FOR INTERNATIONAL
11 DEVELOPMENT MANAGEMENT
12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 577. (a) AUTHORITY.—Up to \$81,000,000 of
14 the funds made available in this Act to carry out the provi-
15 sions of part I of the Foreign Assistance Act of 1961, in-
16 cluding funds appropriated under the heading “Assistance
17 for Eastern Europe and the Baltic States”, may be used
18 by the United States Agency for International Develop-
19 ment (USAID) to hire and employ individuals in the
20 United States and overseas on a limited appointment basis
21 pursuant to the authority of sections 308 and 309 of the
22 Foreign Service Act of 1980.

23 (b) RESTRICTIONS.—

24 (1) The number of individuals hired in any fis-
25 cal year pursuant to the authority contained in sub-
26 section (a) may not exceed 175.

1 (2) The authority to hire individuals contained
2 in subsection (a) shall expire on September 30,
3 2008.

4 (c) CONDITIONS.—The authority of subsection (a)
5 may only be used to the extent that an equivalent number
6 of positions that are filled by personal services contractors
7 or other nondirect-hire employees of USAID, who are
8 compensated with funds appropriated to carry out part I
9 of the Foreign Assistance Act of 1961, including funds
10 appropriated under the heading “Assistance for Eastern
11 Europe and the Baltic States”, are eliminated.

12 (d) PRIORITY SECTORS.—In exercising the authority
13 of this section, primary emphasis shall be placed on ena-
14 bling USAID to meet personnel positions in technical skill
15 areas currently encumbered by contractor or other non-
16 direct-hire personnel.

17 (e) CONSULTATIONS.—The USAID Administrator
18 shall consult with the Committees on Appropriations at
19 least on a quarterly basis concerning the implementation
20 of this section.

21 (f) PROGRAM ACCOUNT CHARGED.—The account
22 charged for the cost of an individual hired and employed
23 under the authority of this section shall be the account
24 to which such individual’s responsibilities primarily relate.
25 Funds made available to carry out this section may be

1 transferred to and merged and consolidated with funds ap-
2 propriated for “Operating Expenses of the United States
3 Agency for International Development”.

4 (g) MANAGEMENT REFORM PILOT.—Of the funds
5 made available in subsection (a), USAID may use, in addi-
6 tion to funds otherwise available for such purposes, up to
7 \$10,000,000 to fund overseas support costs of members
8 of the Foreign Service with a Foreign Service rank of four
9 or below: *Provided*, That such authority is only used to
10 reduce USAID’s reliance on overseas personal services
11 contractors or other nondirect-hire employees com-
12 pensated with funds appropriated to carry out part I of
13 the Foreign Assistance Act of 1961, including funds ap-
14 propriated under the heading “Assistance for Eastern Eu-
15 rope and the Baltic States”.

16 (h) DISASTER SURGE CAPACITY.—Funds appro-
17 priated by this Act to carry out part I of the Foreign As-
18 sistance Act of 1961, including funds appropriated under
19 the heading “Assistance for Eastern Europe and the Bal-
20 tic States”, may be used, in addition to funds otherwise
21 available for such purposes, for the cost (including the
22 support costs) of individuals detailed to or employed by
23 the United States Agency for International Development
24 whose primary responsibility is to carry out programs in
25 response to natural disasters.

RESCISSIONS

SEC. 578. (a) Of the funds provided in title IV of Public Law 109–102, under the heading “Funds Appropriated to the President, International Financial Institutions, Contribution to the International Development Association”, \$188,100,000 is hereby rescinded.

(b) Of the funds appropriated in Public Law 109–102 under the heading “Economic Support Fund” that are available for assistance and under such heading in prior Acts making appropriations for foreign operations, export financing, and related programs, \$200,000,000 are hereby rescinded: *Provided*, That such amount shall be derived only from funds not yet expended for cash transfer assistance.

OPIC TRANSFER AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

SEC. 579. Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of \$30,000,000 of the funds appropriated for programs in Iraq under title II of this Act may be transferred to and merged with funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: *Provided*, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: *Provided fur-*

1 *ther*, That funds specially designated by this Act shall not
2 be transferred pursuant to this section: *Provided further*,
3 That the exercise of such authority shall be subject to the
4 regular notification procedures of the Committees on Ap-
5 propriations.

6 LIMITATION ON FUNDS RELATING TO ATTENDANCE OF
7 FEDERAL EMPLOYEES AT CONFERENCES OCCURRING
8 OUTSIDE THE UNITED STATES

9 SEC. 580. None of the funds made available in this
10 Act may be used to send or otherwise pay for the attend-
11 ance of more than 50 employees of agencies or depart-
12 ments of the United States Government who are stationed
13 in the United States, at any single international con-
14 ference occurring outside the United States, unless the
15 Secretary of State determines that such attendance is in
16 the national interest: *Provided*, That for purposes of this
17 section the term “international conference” shall mean a
18 conference attended by representatives of the United
19 States Government and representatives of foreign govern-
20 ments, international organizations, or nongovernmental
21 organizations.

1 LIMITATION ON ASSISTANCE TO FOREIGN COUNTRIES

2 THAT REFUSE TO EXTRADITE TO THE UNITED

3 STATES ANY INDIVIDUAL ACCUSED IN THE UNITED

4 STATES OF KILLING A LAW ENFORCEMENT OFFICER

5 SEC. 581. None of the funds made available in this

6 Act for the Department of State may be used to provide

7 assistance to the central government of a country which

8 has notified the Department of State of its refusal to ex-

9 tradite to the United States any individual indicted in the

10 United States for killing a law enforcement officer, as

11 specified in a United States extradition request, unless the

12 Secretary of State certifies to the Committees on Appro-

13 priations in writing that the application of the restriction

14 to a country or countries is contrary to the national inter-

15 est of the United States.

16 INTERNATIONAL MONETARY FUND BUDGET AND HIRING

17 CEILINGS

18 SEC. 582. The Secretary of the Treasury shall in-

19 struct the United States Executive Director at the Inter-

20 national Monetary Fund to use the voice of the United

21 States to ensure that any loan, project, agreement, memo-

22 randum, instrument, plan or other program of the

23 Intenational Monetary Fund does not penalize countries

24 for increased government spending on healthcare or edu-

25 cation by exempting such increases from national budget

1 caps or restraints, hiring or wage bill ceilings or other lim-
2 its imposed by the International Monetary Fund.

3 GOVERNMENTS THAT HAVE FAILED TO PERMIT CERTAIN
4 EXTRADITIONS

5 SEC. 583. None of the funds made available in this
6 Act for the Department of State, other than funds pro-
7 vided under the heading “International Narcotics Control
8 and Law Enforcement”, may be used to provide assistance
9 to the central government of a country with which the
10 United States has an extradition treaty and which govern-
11 ment has notified the Department of State of its refusal
12 to extradite to the United States any individual indicted
13 for a criminal offense for which the maximum penalty is
14 life imprisonment without the possibility of parole, unless
15 the Secretary of State certifies to the Committees on Ap-
16 propriations in writing that the application of this restric-
17 tion to a country or countries is contrary to the national
18 interest of the United States.

19 REPORTING REQUIREMENT

20 SEC. 584. The Secretary of State shall provide the
21 Committees on Appropriations, not later than April 1,
22 2007, and for each fiscal quarter, a report in writing on
23 the uses of funds made available under the headings “For-
24 eign Military Financing Program”, “International Mili-
25 tary Education and Training”, and “Peacekeeping Oper-
26 ations”: *Provided*, That such report shall include a de-

1 scription of the obligation and expenditure of funds, and
2 the specific country in receipt of, and the use or purpose
3 of the assistance provided by such funds.

4 ASSISTANCE FOR DEMOBILIZATION AND DISARMAMENT
5 OF FORMER IRREGULAR COMBATANTS IN COLOMBIA

6 SEC. 585. (a) AVAILABILITY OF FUNDS.—Of the
7 funds appropriated in this Act, up to \$20,000,000 may
8 be made available in fiscal year 2007 for assistance for
9 the demobilization and disarmament of former members
10 of foreign terrorist organizations (FTOs) in Colombia,
11 specifically the United Self-Defense Forces of Colombia
12 (AUC), the Revolutionary Armed Forces of Colombia
13 (FARC) and the National Liberation Army (ELN), if the
14 Secretary of State makes a certification described in sub-
15 section (b) to the appropriate congressional committees
16 prior to the initial obligation of amounts for such assist-
17 ance for the fiscal year involved.

18 (b) CERTIFICATION.—A certification described in this
19 subsection is a certification that—

20 (1) assistance for the fiscal year will be pro-
21 vided only for individuals who have: (A) verifiably
22 renounced and terminated any affiliation or involve-
23 ment with FTOs or other illegal armed groups; and
24 (B) are meeting all the requirements of the Colom-
25 bia Demobilization Program, including having dis-

1 closed their involvement in past crimes and their
2 knowledge of the FTO's structure, financing
3 sources, illegal assets, and the location of kidnapping
4 victims and bodies of the disappeared;

5 (2) the Government of Colombia is providing
6 full cooperation to the Government of the United
7 States to extradite the leaders and members of the
8 FTOs who have been indicted in the United States
9 for murder, kidnapping, narcotics trafficking, and
10 other violations of United States law;

11 (3) the Government of Colombia is imple-
12 menting a concrete and workable framework for dis-
13 mantling the organizational structures of foreign ter-
14 rorist organizations; and

15 (4) funds shall not be made available as cash
16 payments to individuals and are available only for
17 activities under the following categories: verification,
18 reintegration (including training and education), vet-
19 ting, recovery of assets for reparations for victims,
20 and investigations and prosecutions.

21 (c) DEFINITIONS.—In this section:

22 (1) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES.—The term “appropriate congressional com-
24 mittees” means—

1 (A) the Committee on Appropriations and
2 the Committee on International Relations of the
3 House of Representatives; and

4 (B) the Committee on Appropriations and
5 the Committee on Foreign Relations of the Sen-
6 ate.

7 (2) FOREIGN TERRORIST ORGANIZATION.—The
8 term “foreign terrorist organization” means an or-
9 ganization designated as a terrorist organization
10 under section 219 of the Immigration and Nation-
11 ality Act.

12 OFFICE OF THE DIRECTOR OF TRADE CAPACITY

13 ENHANCEMENT

14 SEC. 586. The Administrator of the United States
15 Agency for International Development (USAID) shall cre-
16 ate within USAID a new office of Trade Capacity En-
17 hancement and designate a Director of that office: *Pro-*
18 *vided*, That this office shall be responsible for USAID’s
19 trade capacity building programs, coordinating the imple-
20 mentation of all programs developed by the State Depart-
21 ment for trade capacity building and coordinating govern-
22 ment-wide trade capacity building efforts of United States
23 agencies: *Provided further*, That this office shall be respon-
24 sible for ensuring that country strategic plans, as appro-
25 priate, include a trade capacity enhancement strategic

1 goal and monitor the implementation plan for achieving
2 this goal.

3 ENHANCING WOMEN’S ECONOMIC OPPORTUNITIES

4 SEC. 587. (a) SUPPORT FOR WOMEN’S SMALL- AND
5 MEDIUM-SIZED ENTERPRISES IN DEVELOPING COUN-
6 TRIES.

7 (1) IN GENERAL.—When carrying out enter-
8 prise development programs with funds appropriated
9 in “Development Assistance”, “Economic Support
10 Funds”, or otherwise made available in the Act for
11 “Development Assistance”, the Director of Foreign
12 Assistance shall ensure that, where appropriate,
13 such programs, projects, and activities meet the re-
14 quirements of paragraph (2) of this subsection.

15 (2) REQUIREMENTS.—The requirements re-
16 ferred to in paragraph (1) are the following:

17 (A) In coordination with developing coun-
18 try governments and interested individuals and
19 organizations, create or enhance laws, regula-
20 tions, enforcement, and other practices that
21 promote access to banking and financial serv-
22 ices for women-owned small- and medium-sized
23 enterprises, and eliminate or reduce regulatory
24 barriers that may exist in this regard.

25 (B) Promote access to information and
26 communication technologies (ICT) with training

1 in ICT for women-owned small- and medium-
2 sized enterprises.

3 (C) Provide training, through local associa-
4 tions of women-owned enterprises in record
5 keeping, financial and personnel management,
6 international trade, business planning, mar-
7 keting, policy advocacy, and other relevant
8 areas.

9 (D) Provide resources to establish and en-
10 hance local, national, and international net-
11 works and associations of women-owned small-
12 and medium-sized enterprises.

13 (E) Provide incentives for nongovern-
14 mental organizations and regulated financial
15 intermediaries to develop products, services, and
16 marketing and outreach strategies specifically
17 designed to facilitate and promote women's par-
18 ticipation in small and medium-sized business
19 development programs by addressing women's
20 assets, needs, and the barriers they face to par-
21 ticipation in enterprise and financial services.

22 (F) Seek to award contracts to qualified
23 indigenous women-owned small and medium-
24 sized enterprises, including for post-conflict re-
25 construction and to facilitate employment of in-

1 digenous women, including during post-conflict
2 reconstruction in jobs not traditionally under-
3 taken by women.

4 (b) TRADE BENEFITS FOR WOMEN IN DEVELOPING
5 COUNTRIES.—The enterprise development and trade ca-
6 pacity promotion programs administered by the Depart-
7 ment of State and the United States Agency for Inter-
8 national Development shall incorporate the following ob-
9 jectives:

10 (1) Provide training and education to women's
11 civil society, including those organizations rep-
12 resenting poor women, and to women-owned enter-
13 prises and associations of such enterprises, on how
14 to respond to economic opportunities created by
15 trade preference programs, trade agreements, or
16 other policies creating market access, including
17 training on United States market access require-
18 ments and procedures.

19 (2) Provide capacity building for women entre-
20 preneurs, including microentrepreneurs, on produc-
21 tion strategies, quality standards, formation of co-
22 operatives, market research, and market develop-
23 ment.

(4) Provide training to official government negotiators representing developing countries in order to enhance the ability of such negotiators to formulate trade policy and negotiate agreements that take into account the needs and priorities of a country's poor, including poor women.

(5) Provide training to local women's groups in developing countries in order to enhance their ability to collect information and data, formulate proposals, and inform and impact official government negotiators representing their country in international trade negotiations of the needs and priorities of a country's poor, including poor women.

(c) REPORT TO CONGRESS.—Not later than 180 days after the enactment of this Act, the Director of Foreign Assistance shall report to the Committees on Appropriations on the implementation of the provisions of subsections (a) and (b) of this section.

22 AUTHORIZATION

SEC. 588. To authorize United States participation in, and appropriations for, the United States contribution to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund, the

1 Inter-American Development Bank Act (22 U.S.C. 283 et
2 seq.) is amended by adding at the end the following:

3 **“SEC. 39. FIRST REPLENISHMENT OF THE RESOURCES OF**
4 **THE ENTERPRISE FOR THE AMERICAS MUL-**
5 **TILATERAL INVESTMENT FUND.**

6 “(a) CONTRIBUTION AUTHORITY.—

7 “(1) IN GENERAL.—The Secretary of the
8 Treasury may contribute on behalf of the United
9 States \$150,000,000 to the first replenishment of
10 the resources of the Enterprise for the Americas
11 Multilateral Investment Fund.

12 “(2) SUBJECT TO APPROPRIATIONS.—The au-
13 thority provided by paragraph (1) may be exercised
14 only to the extent and in the amounts provided for
15 in advance in appropriations Acts.

16 “(b) LIMITATIONS ON AUTHORIZATION OF APPRO-
17 PRIATIONS.—For the United States contribution author-
18 ized by subsection (a), there are authorized to be appro-
19 priated not more than \$150,000,000, without fiscal year
20 limitation, for payment by the Secretary of the Treas-
21 ury.”.

22 This Act may be cited as the “Foreign Operations,
23 Export Financing, and Related Programs Appropriations
24 Act, 2007”.

Union Calendar No. 271

109TH CONGRESS
2^D Session

H. R. 5522

[Report No. 109-486]

A BILL

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes.

JUNE 5, 2006

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed